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THE CHRISTIAN CHURCH AND SLAVERY IN THE
MIDDLE AGES¹

THE abolition of slavery is one of the fair fruits of the Christian religion. The question is: To what extent did the medieval Church aid in the process?

¹ The text of this article [by Professor F. Pijper of the University of Leyden] was read before the International Historical Congress in Berlin in 1908. With the foot-notes, it forms a chapter in the forthcoming second volume of the author's "History of Penance and Confession in the Christian Church" (*Geschiedenis der Boete en Biecht in de Christelijke Kerk*, the Hague, Martinus Nijhoff). For the literature, see: H. Wallon, *Histoire de l'Esclavage dans l'Antiquité* (Paris, 1879), three vols.; J. Yanoski, *De l'Abolition de l'Esclavage Ancien au Moyen Age, et de sa Transformation en Servitude de la Glèbe* (Paris, 1860); Rivière, *L'Eglise et l'Esclavage* (Paris, 1864); Margraf, *Kirche und Sklaverei seit der Entdeckung Amerikas* (Tübingen, 1866); H. Wiskemann, *Die Sklaverei* (Leiden, 1866) in the *Werken* of the Haagsch Genootschap; J. Buchmann, *Die unfreie und die freie Kirche in ihren Beziehungen zur Sklaverei, zur Glaubens- und Gewissenstyrannie und zum Dämonismus* (1875); Overbeck, *Ueber das Verhältniss der alten Kirche zur Sklaverei im Römischen Reiche*, in the *Studien zur Geschichte der alten Kirche* (Schloss Chemnitz, 1875), pp. 158 ff.; Th. Zahn, *Sklaverei und Christentum in der alten Welt* (1879), in his *Skizzen aus dem Leben der alten Kirche* (Leipzig, 1908), pp. 116-159; G. Uhlhorn, *Die christliche Liebesthätigkeit in der alten Kirche* (Stuttgart, 1882), pp. 184-189, 362-375; M. Fournier, *Les Affranchissements du Ve au XIII^e Siècle*, in the *Revue Historique* (Paris, 1883), vol. XXI., pp. 1-58; Th. Brecht, *Kirche und Sklaverei, Beitrag zur Lösung des Problems der Freiheit* (Barmen, 1890); G. Abignente, *La Schiavitù nei suoi Rapporti colla Chiesa e col Laicato, studio storico-giuridico, pubblicato in occasione della Conferenza Antischiavista di Bruxelles* (Turin, 1890); O. Langer, *Sklaverei in Europa während der letzten Jahrhunderte des Mittelalters, Programm des Gymnasiums zu Bautzen* (Bautzen, Ostern, 1891); G. F. Knapp, *Die Landarbeiter in Knechtschaft und Freiheit, Vier Vorträge* (Leipzig, 1891); E. Teichmüller, *Der Einfluss des Christenthums auf die Sklaverei im griechisch-römischen Alterthum, Ein Vortrag* (Dessau, 1894); J. K. Ingram, *History of Slavery and Serfdom* (London, 1895); A. Jerovšek, *Die antik-heidnische Sklaverei und das Christenthum* (Marburg, 1903); L. Vanderkindere, *Liberté et Propriété en Flandre du IX^e au XII^e Siècle* (Académie Royale de Belgique, *Bulletin de la Classe des Lettres*, 1906, pp. 151 ff.); Rob. Roberts, *Das Familien- Sklaven- und Erbrecht im Quorân* (Leipzig, 1908) in the *Leipziger Semitistische Studien*, edited by Fischer and Zimmern, II. 6.

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Throughout the Middle Ages slavery existed in the Christian lands of Europe, although from the thirteenth century onward serfdom replaced it to a considerable degree. There is no evidence that the Christian Church made any serious effort to abolish either slavery or serfdom in that age. There were slaves in all countries, and the Church seemed to approve of it; at least she gave no evidence of regret at being unable to reconcile this condition with the spirit of the Gospel. Sporadic individuals, to be sure, did express their conviction that the words of Christ, "All ye are brethren", would find an admirable practical application in the freeing of slaves. Church assemblies issued a small number of decrees intended to improve the lot of slaves. The Church, too, took the emancipated under her protection. Still the number of slaves was not noticeably decreased thereby. Unfortunately it cannot be denied that the Church made provisions whereby in certain cases freemen were reduced to slavery, and under some circumstances aided in establishing slavery where it did not before exist. Indeed the Church herself held many slaves, and opposed their emancipation.

The beginning of a letter of emancipation by Pope Gregory the Great is famous. Two slaves, Montana and Thomas, both belonging to the Roman Church, were freed by him. He alludes to the love of the Saviour, who did not hesitate to become man, in order to free us from the chains of bondage in which we lay, and restore us to our original freedom. "Man", he continues, "was created free in the beginning by Nature; he does well, therefore, who restores to men the freedom in which they were born."² A similar spirit breathes from a letter of emancipation issued, five centuries later, by the abbot and chapter of the abbey of St. Père in Chartres. It begins with the words: "In the name of Him, Who, to redeem a slave, did not spare His Son, but surrendered Him for us all, Jesus Christ our Lord".³ Another document of similar origin recalls the prophecy of Jeremiah (xxxiv.) in the time of King Zedekiah, when Jerusalem was being besieged by Nebuchadnezzar. The more prom-

² Gregory the Great, *Epistolae*, l. vi., ep. 12, in *Opera*, ed. J. B. Galliccioli (Venice, 1770), t. VII., p. 359. "Cum redemptor noster, totius conditor creaturae, ad hoc propitiatus humanam voluerit carnem assumere, ut divinitatis suae gratia dirupto quo tenebatur capti vinculo servitutis, pristinae nos restitueret libertati: salubriter agitur si homines, quos ab initio natura liberos protulit, et jus gentium iugo substituit servitutis, in ea qua nati fuerant, manumittentis beneficio, libertate reddantur."

³ *Cartulaire de l'Abbaye de St.-Père de Chartres*, ed Guérard, t. II. (Paris, 1840, in *Collection des Cartulaires de France*), no. 27, p. 286. "In ejus nomine qui, ut servum redimeret, filio non pepercit, sed pro nobis omnibus tradidit illum Jhesum Christum Dominum nostrum". The document dates from 1130 to 1150.

inent Israelites had agreed to proclaim a year of jubilee, that is, to free all slaves of Hebrew origin. The agreement however was not kept. For this reason the prophet declared that God would bring back the Babylonians, from whom the Jews had had a short respite, and would proclaim for Judah "a liberty to the sword, to the pestilence, and to the famine". This story teaches us, so says the letter of emancipation, how pleasing a sacrifice to God is the restoration of liberty to a man languishing in slavery.⁴ Again, a certain Richeldis is freed both for the love of the highest Emancipator, Almighty God, and because of the desire of her father.⁵ About the same time Count Fulk of Anjou and his sister Ermengardis promise to give a certain slave his liberty, "for the good of the soul of their father Fulk, and for the forgiveness of their sins".⁶

Nevertheless there is no evidence that many shared the religious views which found expression in these utterances. Whatever may have influenced the hearts of some of the best and noblest persons, they were powerless over against the majority, powerless in the face of the incalculable economic importance of slavery in the medieval world. Indeed there is no trace of serious effort, on any considerable scale, to change conditions. In the biographies of certain saints, one reads that before they entered the monastery they freed many slaves;⁷ of others, that they redeemed war-captives and sent them back to their homes free men.⁸ Such deeds may have provoked sympathy and even admiration, but they had no notable effect on the persistence of slavery as an institution.

It is necessary to consider the matter more in detail. One finds

⁴ *Cartulaire de l'Abbaye de St.-Père de Chartres*, ed. Guérard, t. II., no. 51, p. 507. "Quam gratum et acceptabile Deo sit sacrificium, hominem servituti mancipatum, restituere libertati prophetica illa sancti Jeremiae indicat historia." The document is from the time between 1130 and 1150.

⁵ *Ibid.*

⁶ Baluze, *Capitularia Regum Francorum* (Paris, 1677), t. II., col. 146. Cf. the formula of emancipation in E. de Rozière, *Recueil Général des Formules usitées dans l'Empire des Francs du Ve au Xe Siècle* (Paris, 1859), t. III., no. 65, p. 90: "Qui debitum sibi nexum relaxat servitium, praemium in futuro apud Dominum sibi retribuere confidat. Igitur ego, in Dei nomine, ille, pro remedio animae meae vel aeterna retributione, servum iuris mei, nomine illum, ingenuum esse praecipio." Another formula, *ibid.*, no. 69, p. 95 reads: "In nomine sanctae et individuae Trinitatis. Si quis ex servientibus sibi aliqua mancipia ad sanctorum loca tradiderit, mercedem ob hoc in futuro ei provenire veraciter crediderit. Quapropter ego, in Dei nomine, N., servum iuris mei N. ad sanctum [illum] trado et ab omni iugo servitutis absolvo."

⁷ From the *Vita S. Romarici*, in Bouquet, *Recueil des Historiens de la France* (Paris, 1741), III. 495. A certain Florus does similarly, *Vita S. Mauri*, *ibid.*, p. 417.

⁸ From the *Vita S. Eptadii*, in Bouquet, III. 381; *Vita S. Balthildis*, *ibid.*, p. 573.

slaves among the Christians of the seventh⁹ and eighth centuries;¹⁰ they are not lacking in the tenth¹¹ and eleventh;¹² in the twelfth,¹³ thirteenth,¹⁴ fourteenth,¹⁵ and later¹⁶ they still exist.

At a council held in Toledo (656) complaint was made that clerics sold Christian slaves to Jews. With many quotations from the Scriptures, the council prohibited this practice.¹⁷ Why did not the *Patres conscripti* condemn the whole slave-trade? They appeal to such a text as 1 *Corinthians*, xii, 13: "For by one Spirit are we all baptized into one body whether we be Jews or Gentiles, whether we are bond or free; and have been all made to drink into one Spirit." But they did not draw the conclusion: Slavery is contrary to the Gospel. No more did RATHERIUS of Verona, when about three centuries later he wrote his *Praeloquia*. In it he addresses all classes of society. On the one hand he comforts the slave with the assurance that all men are brethren, on the other he exhorts him to see in his bondage an ordinance of divine providence.¹⁸

Art thou slave? Let it not grieve thee. If thou hast served thy master faithfully, thou shalt be a freedman of God, the Lord of us all, for in Christ are we all brethren. Hear what the Apostle says (1 *Pet.*, ii, 18): "Servants be subject to your masters with all fear". Both God and your earthly masters ye can fear in two ways, first with the fear of blows, scourging and imprisonment, and the eternal fire, since "who-soever resisteth the power, resisteth the ordinance of God" (*Rom.*, xiii, 2). But of this first fear it is said that love casteth it out. The other fear is of a purer kind and endures eternally. It is the fear of indolence and idleness, the fear of the loss of that glory which awaits those who labor vigorously. If now thou hast stolen hours from thy master, return them to thy Creator [*i. e.*, in the form of alms, etc.]. And do not think that thou art slave accidentally, and without the will of divine providence. Hear what ISIDORE says: "Because of the first man's sin, slavery was imposed by God on mankind as a punishment, in such a way that He mercifully destined those to slavery for whom He saw that freedom would not be fitting." Though this be a result of original sin,

⁹ Tenth synod of Toledo (656), c. 7, in Mansi, XI. 37 ff.

¹⁰ Synod of Dingolfing (769-771), c. 5, *ibid.*, XII. 851.

¹¹ Synod of Coblenz (922), c. 7, in Pertz, *Mon. Germ., Leges*, II. 17.

¹² Synod of Rome (1078), in Mansi, XX. 506.

¹³ Synod of Gran (1114), c. 29, *ibid.*, XXI. 106.

¹⁴ Peter of Exeter, *Summula seu Modus Exigendi Confessiones*, *ibid.*, XXIV. 845.

¹⁵ Synod of London (1328), c. 4, *ibid.*, XXV. 831.

¹⁶ Many evidences of the existence of slaves in the fifteenth century and later have been collected by Dr. Langer, *o. c.*, pp. 18 ff., 29 ff.

¹⁷ Tenth synod of Toledo (656), c. 7, in Mansi, XI. 37 ff.

¹⁸ RATHERIUS, *Praeloquia*, l. 1., tit. 14, in Martene, *Veteres Scriptores*, IX. 812 ff. The doctrine that the reason for the existence of slavery is to be sought in the fall of man and original sin is also found in Thomas Aquinas, *Summa Theologica*, pt. 1., qu. 96, art. 4 (Lyons, 1686), p. 217. Cf. Langer, *o. c.*, p. 41.

still God has determined the lot of all men with perfect justice, in making one a slave and another a master, in order that the slave's opportunity of doing evil may be limited by the power of the master.

Finer words expressed the sentiments of the synod of Châlons (813):¹⁹

The indisputable truth is that persons of different classes, such as nobles, freemen, slaves, bondmen, tenants, and the like, belong to the Church. Therefore, it is fitting that all, clerics as well as laymen, who are placed over others should treat them with consideration and mercy, not only in the demanding of statute labor and taxes, but also in the collecting of debts. For they must not forget that these are their brethren, that they both have one God and Father, to whom they pray: "Our Father Who art in Heaven" and a single holy mother, the Church.

How did one become a slave? One way was by selling oneself because of poverty. It might so happen that a married pair sank into such need that the husband was compelled to sell himself, and did so with his wife's consent. In this way he secured sustenance for himself, and with the purchase-money he was in a position to keep his wife from starving. Sometimes the conditions were reversed, and the wife sold herself with the same intentions and with her husband's consent. In such cases the marriage was usually dissolved; to be sure the Church opposed this, but could not prevent and therefore yielded to it.²⁰ Besides this, one could mortgage himself. A synod at Paris early in the seventh century ordained that freemen who had sold or mortgaged themselves should if they repaid the money at once be restored to their former status. To demand back a greater sum than what had been paid for them, was not allowed.²¹ It is true that a synod at Rheims (about 624) forbade that anyone persuade a freeman to become a slave.²² Was much accomplished by it? It is only too true that the slave-trade continued to exist. Formulas of certificates of sale have been preserved in considerable numbers.²³ An estate is sold together with its slaves and serfs.²⁴ The penitential of Theodore of Canterbury secures to

¹⁹ Synod of Châlons (813), c. 51, in Mansi, XIV. 104.

²⁰ Synod of Vermeria (753), c. 6, in Pertz, *Mon. Germ., Leges*, I. 22.

²¹ Synod of Paris (613 ?), c. 14, in Mansi, X. 548.

²² Synod of Rheims (624-625), c. 17, *ibid.*, p. 596, "si quis ingenuum aut liberum ad servitium inclinare voluerit".

²³ Rozière, *Formules*, pt. 1., nos. 290-297. No. 291, p. 347, begins: "Magnifico fratri illi, ego ille. Constat me tibi vindedis et ita vindedi servum iuris mei, nomine illum, non furem, non fugitivum, sed sanum corpore moribusque bonis constructum. Unde accepi a te pretium in quod mihi bene complacuit, valentem solidos tantos: ita ut ab hodierna die quicquid de supradicto servo facere volueris, liberam habeas potestatem."

²⁴ *Ibid.*, pt. 1., no. 270, p. 331.

the father the power to sell his son in case of need, provided the latter is not fourteen years old; after that the consent of the son is required. Whoever was fourteen years old could surrender himself into slavery.²⁵ According to Vinniaus the married freeman who had consorted with a slave should be compelled to sell the woman; if he had one or several sons by her he must set her free, and was not allowed to sell her.²⁶

While the slave-trade in general was not prohibited by the synod of Châlons (644), the selling of slaves outside the kingdom (that is outside of the dominions of King Chlodwig II.) was forbidden; the purpose was to prevent the delivery of Christian slaves into the power of Jewish masters.²⁷ Similar prohibitions were repeatedly issued. For instance the synod of Liftinā, under the presidency of Boniface, declared that it was unlawful to sell Christian slaves to heathen.²⁸ The English synod of Berkhamstead (697) is an exception. It decreed that if a slave had stolen, his master must at the discretion of the king either pay a sum of seventy *solidi* as compensation, or sell the slave beyond the sea.²⁹ Of prohibiting the trade in Christian slaves among Christians, there was never a word; no one thought of protesting against it, or at least, showed any inclination to do so. Duke Tassilo of Bavaria summoned a synod to Neuching (772). The first decree reads: "Duke Tassilo with the consent of the whole assembly [of bishops and abbots] has determined that no one may sell a slave outside the boundaries of his province, no matter whether the slave is his property, or has come into his power as a fugitive."³⁰ But observe, "the boundaries of his province"; everything hinges on that.

According to Regino of Prüm, too, not the slave-trade as such but slave-trade under certain conditions is punishable. For he enjoined that the bishop should inquire in his synodal court: "Has any one stolen, or by means of enticement secured possession of a freeman, another's slave, or a foreigner, and sold him into bondage out of the country? Has any one sold a Christian slave to Jew or heathen? Are the Jews selling Christian slaves?"³¹ It is always the same thing: only certain kinds of slave-trade are condemned. A

²⁵ *Poenitentiale Theodori*, c. 13, par. 1, 2, in Wasserschleben, p. 217.

²⁶ *Poenitentiale Vinniai*, par. 39, 40, *ibid.*, p. 117; *Poenitentiale Cummeani*, c. 3, par. 32, *ibid.*, p. 474.

²⁷ Synod of Châlons (644), c. 9, in Mansi, X. 1191.

²⁸ Synod of Liftinā (743), c. 3, in Pertz, *Mon. Germ., Leges*, I. 18.

²⁹ Synod of Berkhamstead (697), c. 27, in Mansi, XII. 114.

³⁰ Synod of Neuching (772), c. 1, *ibid.*, p. 853.

³¹ Regino, *De Ecclesiasticis Disciplinis*, l. 11., interr. 41, p. 210.

foreign Christian, who had fled from his home because of persecution, had been taken in by another Christian, whom he served for many years for wages; he was finally rated as a slave by his master, and sold. Regino of Prüm, in whose time this occurred, disapproved of it very strongly.³² But who ever protested against the slave-trade as such?

A slight change of opinion seems to be evident at the synod summoned to Coblenz by the Frankish King Charles the Simple and Henry I. of Germany. It was there asked what should be done with one who sold a Christian. The unanimous answer was, that he should be considered guilty of murder.³³ But note well that there is no mention of the selling of non-Christians. Even the evil specifically mentioned in the decree was not extirpated by it, as is evident from an *Ordo Poenitentiae* of the time of Otto III.³⁴ In 1009 in England, the only censure is that Christians, sometimes innocent ones, were sold out of the country, even to heathen people.³⁵ In the time of Gregory VII., the Scots still sold their wives.³⁶ According to the synod of Szabolcs (1092), if a priest instead of taking a wife had chosen a servant or a slave as a companion, she was to be sold and the proceeds were to be given to the bishop.³⁷ A shocking condition is revealed by a decree of the synod of London (1102): "Let no one dare hereafter to engage in the infamous business, prevalent in England, of selling men like animals."³⁸ The stern prohibition provokes sympathy, and reflects credit on the English bishops. Still, it is to be observed that the slave-trade, not slavery, was condemned. And did this sentence affect every form of slave-trade, or only that particular form then prevalent in England? Be that as it may, the slave-trade continued in England. The English, even before they suffered from poverty and starvation, were in the habit of offering their sons and relatives for sale in Ireland. The Irish obtained English slaves not only from merchants, but also from robbers and pirates. On the other hand the English penetrated into Ireland and made slaves of the Irish.³⁹

³² Regino, *De Ecclesiasticis Disciplinis*, l. II., interr. 77, p. 214.

³³ Synod of Coblenz (922), c. 4, in Pertz, *Mon. Germ., Leges*, II. 17.

³⁴ See the *Ordo*, with questions, in Schmitz, p. 748.

³⁵ Synod of Aenham (1009), in Mansi, XIX. 300.

³⁶ Gregory VII., *Ad Lanfrancum Cantuariensem*, *ibid.*, XX. 374.

³⁷ Synod of Szabolcs (1092), c. 2, *ibid.*, p. 759.

³⁸ Synod of London (1102), c. 27, *ibid.*, p. 1152: "ne quis illud nefarium negotium, quo hactenus in Anglia solebant homines sicut bruta animalia venundari, deinceps ullatenus facere praesumat."

³⁹ Synod of Waterford, according to Giraldus Cambrensis (1158), *ibid.*, XXI. 861; synod of Armagh (1171), *ibid.*, XXII. 123 ff.

The synod of Herstal (779) under the presidency of Charlemagne decreed that slaves could be sold only in the presence of a representative of the ecclesiastical or temporal power, that is, of the bishop or count, the archdeacon or the *centenarius*.⁴⁰ What was the object of this order? Perhaps it was to regulate the slave-trade, to subject it to hard and fast rules.

Some came under the power of others through theft; both free-men and slaves were stolen.⁴¹ Slavery was also ordained as a punishment for theft, prostitution or other sins.⁴²

From all appearances, medieval society must have contained a much larger number of slaves than has been generally supposed.⁴³ In spite of all prohibitions Christian slaves served Jewish masters.⁴⁴ Mothers had their children nursed by slaves.⁴⁵ Monasteries possessed slaves. From the penitential of the Greek Theodore, Archbishop of Canterbury, it appears that the Greek monks did not have slaves, but that the Roman monks did.⁴⁶

A shocking fact is that the Church herself often possessed slaves. We find slaves of the Church in Spain,⁴⁷ in the kingdom of the Franks,⁴⁸ in Germany,⁴⁹ in Hungary,⁵⁰ in Italy.⁵¹ Occasionally slaves of the Church were admitted to holy orders. The synod of Toledo (655) required, however, that they must first have secured emancipation through the bishop.⁵² Clerics of this kind were forbidden to acquire private property. They could not inherit or buy anything from parents or relatives. Should they in the name or through the assistance of some free man succeed in acquiring anything, they were to be whipped and imprisoned until the Church recovered the

⁴⁰ Synod of Herstal (779), c. 19, in Pertz, *Mon. Germ., Leges*, I. 38.

⁴¹ Synod of Neuching (772), c. 3, in Mansi, XII. 854; Regino, *De Ecclesiasticis Disciplinis*, I. 11., interr. 41, p. 209; *Poenitentiale Valicellianum* I., c. 62, in Schmitz, p. 296.

⁴² *Poenitentiale Theodori*, c. 12, par. 8, in Wasserschleben, p. 214.

⁴³ Synod of Soissons (853), c. 10, in Pertz, *Mon. Germ., Leges*, I. 418; Nicolas I., *Responsa ad Consulta Bulgarorum*, c. 21, in Mansi, XV. 412; synod of Mainz (888), c. 12, *ibid.*, XVIII. 81 ff.; synod of Rome (1078), *ibid.*, XX. 506.

⁴⁴ Twelfth synod of Toledo (681), c. 9, *ibid.*, XI. 1035 ff.; Regino, *De Ecclesiasticis Disciplinis*, I. 11., interr. 41, p. 210.

⁴⁵ *Epistola Pastoralis Vulfadi*, in Mabillon, *Vetera Analecta*, p. 102.

⁴⁶ *Poenitentiale Theodori*, c. 8, par. 4, in Wasserschleben, p. 210.

⁴⁷ Synod of Emerita (666), c. 15, in Mansi, XI. 83 ff.; synod of Toledo (675), c. 6, *ibid.*, p. 141; synod of Saragossa (691), c. 4, *ibid.*, XII. 44 ff.

⁴⁸ Synod of Aachen (817), *Capitula ad Episcopos*, c. 6, in Pertz, *Mon. Germ., Leges*, I. 207; *Hludovici I. Capitulare*, c. 13, *ibid.*, p. 216.

⁴⁹ Synodal statutes of Boniface, c. 7, in Mansi, XII., app., p. 108.

⁵⁰ Synod of Gran (1114), c. 29, *ibid.*, XXI. 106.

⁵¹ Synod of Pavia (1018), c. 3, in Pertz, *Leges*, II. 562.

⁵² Synod of Toledo (655), c. 11, in Mansi, XI. 29.

deeds to the acquired property.⁵³ It was cruel law that sons and daughters of such ecclesiastics, of whatever rank, even though born of a free mother, were, together with all their property, regardless of how it was acquired, to remain the property of the Church, never to be freed from their sad state.⁵⁴

A pronouncement of the great synod of Aachen discloses something astonishing: "Many bishops admit into the number of the clergy only bondmen, who dare not complain of any treatment because they fear hard blows or a cruel reduction to slavery. This is not to say that persons of good reputation among the slaves of the Church may not be admitted to holy orders, but, that no prelate shall entirely exclude the nobles."⁵⁵ Church slaves could accept no protection from another authority.⁵⁶ No one might buy the inheritance of a slave of the Church; if he did, he lost both the purchase money and the object bought.⁵⁷ It was Charlemagne who, probably at the mixed assembly of princes and bishops at Paderborn (785), issued the capitulary, which among other things was designed to secure revenue for local churches. The peasants were to vacate for the church to which they belonged a farm-yard and two *mansi* of land, and each one hundred and twenty of them were to give the church a male and a female slave.⁵⁸

The Trullan synod (692) decreed that the freeing of a slave must occur before three witnesses.⁵⁹ A synod of Berkhamstead assumed that emancipation took place at the altar.⁶⁰

Did the Church earnestly promote the freeing of slaves? She decreed that Jews might not buy or possess Christian slaves; if they

⁵³ Synod of Pavia (1018), c. 5, in Pertz, *Leges*, II. 562.

⁵⁴ *Ibid.*, c. 4, *ibid.* At the synod of Gran (1114), c. 29, in Mansi, XXI. 106, it is said that children of such clerics "inter liberos ecclesiae habeantur". This probably has the same meaning, but Hefele has translated it in another sense: they "werden freie Angehörige der Kirche". *Conciliengeschichte*, second ed., V. 323.

⁵⁵ Synod of Aachen (816-817), c. 119, in Mansi, XIV. 230 ff.

⁵⁶ Synod of Worms (783), c. 12, in Pertz, *Leges*, I. 47.

⁵⁷ Synod of Leon (1012), c. 7, in Mansi, XIX. 337. A similar idea is contained in a decree of the synod of Aschaffenburg (1292), c. 22, *ibid.*, XXIV. 1093: "De servis et mancipiis ecclesiarum in civitatibus residentibus, post eorum servorum mortem ecclesiae debita jura quorum servi et mancipia fuerunt, recipere minime prohibeantur." Hefele translates as follows: "Ist der Knecht oder Sklave einer Kirche, der in einer Stadt wohnte, gestorben, so darf die Kirche nicht gehindert werden, das in Empfang zu nehmen, was ihr bei solchem Todfalle zusteht."

⁵⁸ *Capitulare*, c. 15, in Pertz, *Leges*, I. 49.

⁵⁹ Synodus quinisexta (692), c. 85, in Mansi, XI. 980.

⁶⁰ Synod of Berkhamstead (697), c. 9, *ibid.*, XII. 112.

did, such slaves became free.⁶¹ Vinniaus fixes as one of the punishments of a perjurer the manumission of a slave; but he allows the substitution of a donation to the poor equivalent to the slave's price;⁶² elsewhere the punishment was emancipation and a fine.⁶³ The female slave who bore her master one or more sons,⁶⁴ or in general who bore him children, was freed.⁶⁵

Otherwise the freeing of slaves was hindered rather than helped. If a father in his will granted freedom to all his slaves, his daughter could require the restoration of one-third of them on the ground of the illegality of the testament.⁶⁶

From the fact that the Church was not disposed to give her freedmen entire independence, and nearly always attached severe conditions to liberation, it can be most easily seen that she was not inclined to adopt mild policies toward her slaves. Bishops could not free slaves of the Church, unless they reimbursed the Church out of their own property. Otherwise, it was said, they would be taking from the poor what they did not themselves give. A bishop's successor might reclaim men freed by him.⁶⁷ In the eleventh century these regulations were included by Burchard of Worms⁶⁸ and Ivo of Chartres⁶⁹ in their collections of canons. They were inserted by Gratian⁷⁰ and in the decretals of Gregory IX.⁷¹ If a bishop desired to free a church slave, without reserving the right of protection to the Church, he must in council give the Church, in place of the one freed, two other slaves equally valuable and disposing of an equal amount of money. This exchange was made permanent through a document signed by the priests who were present. Under such conditions manumission was unhindered, the theory being that the bishop had previously acquired possession of the slave. Should such a freedman later complain or testify

⁶¹ Synod of Toledo (633), cc. 59, 66, in Mansi, X. 633, 635; Burchardus Wormaciensis, *Decretorum Libri XX.*, l. iv., c. 85, fol. 128^{vo}; Ivo, *Decretum*, pt. I., c. 279, fol. 41^{vo}; pt. XIII., c. 99.

⁶² Vinniaus, *Poenitentiale*, c. 22, in Wasserschleben, p. 113.

⁶³ *Poenitentiale Cummeani*, c. 5, par. 4, *ibid.*, p. 477.

⁶⁴ Vinniaus, *Poenitentiale*, c. 40, *ibid.*, p. 115; *Poenitentiale Valicellianum I.*, c. 21, in Schmitz, p. 277; *Poenitentiale Casinense*, c. 22, *ibid.*, p. 404.

⁶⁵ *Poenitentiale Bedae*, c. 3, par. 16, in Wasserschleben, p. 222.

⁶⁶ *Capitulare Francicum*, synod of Diedenhofen (783), c. 9, in Pertz, *Leges*, I. 47.

⁶⁷ Synod of Toledo (633), c. 67, in Mansi, X. 635.

⁶⁸ Burchardus Wormaciensis, *Decretorum Libri XX.* (Paris, 1550), l. III., c. 189, fol. 106^{vo}.

⁶⁹ Ivo, *Decretum* (Louvain, 1561), pt. III., c. 249, p. 109^{vo}.

⁷⁰ C. 39, C. XII., qu. 2.

⁷¹ C. 4, X., de rebus ecclesiae (3. 13).

against the church to which he had belonged, he again became a slave of that church.⁷² Bishops who left property to the Church, or who had acquired properties, lands or slaves for their church could manumit slaves of the Church to the value of that property.⁷³

Frequently emancipation was coupled with conditions. Idana's son, who in his testament confirmed freedom formerly granted, limited this freedom by the words, "only under observance of the conditions set down in the brief of emancipation".⁷⁴ In general the conditions made by the Church were oppressive. The chapter of the abbey church of St. Père in Chartres required of the freedman the perpetual performance of his former duties as a bondager (*homo*).⁷⁵ The chapter of Notre Dame in Paris often granted freedom on conditions of the payment of a large sum, either in one payment or in annual installments. The inhabitants of the village of Wissous paid at one time a thousand Parisian pounds for their freedom, those of Orly four thousand pounds.⁷⁶ The same chapter freed more than one *homo* (slave or bondman) with the purpose of admitting him to the clergy. If, however, such an one married or withdrew from the clerical status, he fell back into his former condition. In order to prevent the property of any church slave or bondman from falling into the hands of free men, no freedman was allowed to inherit, buy, or in any way acquire property from parents or relatives. Finally, he was required to take an oath that he would not summon to court any one subject to the jurisdiction of the chapter without the chapter's consent.⁷⁷

The assertion that these limitations on the freedom of the emancipated were not designed to be burdens⁷⁸ can hardly be considered more than a cheap evasion. A few illustrations will best show how hard the treatment occasionally was. A certain Haimo

⁷² Synod of Toledo (633), c. 68, in Mansi, X. 635; Burchardus, *o. c.*, I. III., c. 176, fol. 105; Ivo, *o. c.*, pt. III., c. 237; pt. XVI., c. 65; c. 68, C. XII. qu. 2. Gratian adds a detailed commentary. This is evidence that at that time the matter still had practical significance. .

⁷³ *Ibid.*, cc. 69, 70, 71, in Mansi, X. 636.

⁷⁴ *Diplomata*, ed. J. M. Pardessus (Paris, 1843), t. I., no. 413, p. 212: "quos de servientibus meis per aepistolam ingenuetatis laxavi, in integra ingenuetate resedeant; tamen secundum quod eorum aepistolas loquetur."

⁷⁵ *Cartulaire de l'Abbaye de Saint Père de Chartres*, ed. Guérard (Paris, 1840), (*Collection des Cartulaires de France*), t. II., no. 27, p. 286: "fidelitate erga ecclesiam nostram et libero hominio ex more retento".

⁷⁶ *Cartulaire de l'Eglise de Notre-Dame de Paris*, ed. Guérard (Paris, 1850), t. I., préf., pp. cci ff.

⁷⁷ *Ibid.*, t. II., no. 45, pp. 66 ff.; cf. no. 97, p. 88.

⁷⁸ *Ibid.*, t. II., no. 4, p. 378, *De manumissione Hugonis Olearii*: "non tamen causa honerande libertatis".

was the son of a free father and a slave mother belonging to a monastery. Children of such marriages were slaves.⁷⁹ When this Haimo sought emancipation for himself, his sisters Ermengardis and Roscelina, and their children, he secured it only on condition of the complete surrender of their inheritance, consisting of plots of ground in two villages.⁸⁰ Are the opening words of the document recording this transaction, "In nomine sanctae et individuae Trinitatis", more than a commonplace? Radulf Conduit married the daughter of Hugo of Villa Nova, a slave of the abbey of St. Père in Chartres. *Ipso facto* he and his children sank to the status of a slave. What were the conditions of his freeing? First, he was to be under the obligations of a bondager of the monastery (*hominium*); secondly, he was to present to the abbey a shop having an annual income of eight to ten *solidi*; finally, he was to divest himself in advance of all property he should have at his death.⁸¹ A similar surrender of the paternal inheritance was required of the Richeldis mentioned on an earlier page.⁸²

Freedmen were often placed under the protection (*patrocinium*) of the Church.⁸³ This protection naturally extended first to freedmen of the Church. Was it of advantage to them? They and their children must give assurance of their emancipation to each new bishop upon his accession to office. If they withdrew themselves from the protection of the Church, they lost their freedom.⁸⁴ These provisions were incorporated in canon law together with the above described limitations of a bishop's rights to emancipate.⁸⁵ They were however soon found to be inadequate, and the synod of Toledo (638) decreed that freedmen of the Church and their children must, at the accession of each new bishop, exhibit the certifi-

⁷⁹ This was according to the book of the canon law, c. 15, C. XXXII., qu. 4. But see c. 8, X. (1. 18) in the Decretals of Gregory IX. According to these regulations the son of a slave and a free mother can be ordained. The rubric of the canon: "natus ex patre servo et libera matre, liber est, et licite promovetur", does not quite agree with its contents.

⁸⁰ *Cartulaire de St. Père de Chartres*, t. I., c. 8, p. 9 (about 1001).

⁸¹ *Ibid.*, t. II., no. 36, pp. 293 ff. (about 1101-1129).

⁸² *Ibid.*, t. II., no. 51, pp. 507 ff.

⁸³ Synod of Paris (614-615), c. 5, in Mansi, X. 539 ff.; in Pardessus, *Diplomata*, I., testament of Remigius (533), p. 88, "hos totos, fili fratris mei, Lupe episcopo, sacerdotali auctoritate defensabis"; *ibid.*, t. II., testament of Desiderius (653), p. 101: "libertos meos tibi matri Ecclesiae tuoque advocato commendo. Semper quaeso virtute sanctitatis tuae ab insidiis quorumcumque defensentur, ut sub tuo se patricinio pervenisse congaudeant."

⁸⁴ Synod of Toledo (633), cc. 69, 70, 71, in Mansi, X. 636.

⁸⁵ Burchardus, *o. c.*, l. III., cc. 176, 184, 185, fol. 105^{vo}, 106; Ivo, *o. c.*, pt. III., cc. 238, 244, 245, fol. 108^{ro}, 109; in *Corpus Iuris Canonici*, c. 3, X., de rebus ecclesiae (3. 13); c. 61, C. XII., qu. 2.

cates of their emancipation before him, in the presence of the assembled faithful. The bishop must confirm them anew, and the freedmen must again declare that they would render the *obsequium* due to the Church.⁸⁶ A synod held at the same place in 655 determined that neither freedmen of the Church nor their descendants could ever marry free-born persons ("Romani" or "Gothi"). What they had from the Church they might not transfer to another; if they wished to sell it, they must first offer it to the bishop. But they might at any time sell or give it to their children or relatives, provided they were slaves or freedmen of the same church.⁸⁷ In the light of the foregoing there is nothing strange about the complaint made at the synod of Aachen (809) that many priests devoted themselves both day and night to worldly matters, to slaves, to the vineyard and to the garner.⁸⁸

That the Church did not admit the slaves of others to holy orders, unless their emancipation was incontestable, was no doubt salutary. Only those freedmen, says the synod of Toledo (633), whose patrons have retained no *obsequium* may become clerics; otherwise, they would still be subject to one who could reduce them to slavery.⁸⁹ No one was to persuade a slave to become a clerk or monk, without his master's consent.⁹⁰ Emancipation must precede ordination. Thus, no one may dedicate the servant of another to the service of the Church before he is freed;⁹¹ that is, the bishop is forbidden to ordain any man who is not freed.⁹² The *colliberti*, a class between the freemen and the slaves, were subject to similar rules. The synod of Bourges (1031) declared that neither slaves nor *colliberti* could become clerics, until their masters had granted them freedom in the presence of witnesses.⁹³

In the Oriental Church, the rules differed somewhat. If a slave, who had fled to a monastery because of theft or insubordination, were seized and proved guilty, the *Nomocanon* of John of Antioch provided that he and the stolen goods should be returned; but if in the meantime more than three years had elapsed this need not be done. If the slave left the monastery, his master could again make him a slave. A slave ordained with his master's knowledge,

⁸⁶ Synod of Toledo (638), c. 9, in Mansi, X. 666; included in Gratian's *Decretum*, c. 64, C. XII., qu. 2.

⁸⁷ *Ibid.* (655), cc. 13, 17, in Mansi, XI. 29 ff.

⁸⁸ Synod of Aachen (809), c. 2, in Pertz, *Leges*, I. 160.

⁸⁹ Synod of Toledo (633), c. 73, in Mansi, X. 637.

⁹⁰ Synod of Aachen (789), cc. 23, 57, in Pertz, *Leges*, I. 57, 62.

⁹¹ Synod of Riesbach (799-800), c. 30, *ibid.*, p. 79.

⁹² Synod of Tribur (895), c. 29, in Mansi, XVIII. 146 ff.

⁹³ Synod of Bourges (1031), c. 9, *ibid.*, XIX. 514.

and without his protest, remained free. If it occurred without the master's knowledge, the latter could reclaim the slave at any time within a year. If for any reason the ordained slave returned to the worldly status, he must be restored to his owner.⁹⁴

Rights derived from prescription in these matters were also recognized in the Occident. If a girl under twelve years of age voluntarily took the veil, and her master did not reclaim her within a year, he lost all rights to her.⁹⁵ In spite of the laws, many irregularities occurred in the ordination of former slaves. For instance, witnesses were bribed to testify to the actual manumission of a given person; tricks of every kind were used. The ordination of a man, whose father or grandfather had come from elsewhere, made an especially difficult case because information as to whether the ancestor was free-born, freedman or slave, was not obtainable. If the legal master appeared and granted freedom, all was well; but if the master refused to do so, the clerk was compelled to become a slave once more. In case the master agreed to the ordination, he could retain all property of which the person ordained⁹⁶ was disposing.

Ratherius of Verona insisted that every slave seeking ordination should show his certificate of emancipation.⁹⁷ A decree of the synod of Hohenaltheim (916) discloses peculiar conditions. A master had had his slave educated and ordained, and in the meantime, had given him clothing and sustenance. In the course of time the priest became arrogant and refused to say mass for his former master or to sing the canonical hours or the psalms; he did not pay proper respect to his master and boasted: "I am free. I can serve at my pleasure whom I choose." Whose part did the synod take; the master's or the priest's? The former's; it anathematized the priest and excluded him from communion, until he should mend his ways and obey his master. If he continued stubborn, the bishop who ordained him was to degrade him and restore him to his former owner. Whoever had knowledge of this condition of affairs and received such a priest or failed to restore him to his master, or refused to give him up, was to suffer a like anathema, and be excluded from communion, be he bishop or count, clerk or layman.⁹⁸

⁹⁴ *Joannis Scholastici, Patriarchae Constantinopolitani, Nomocanon*, tit. 33, in G. Voellius and H. Justellus, *Bibliotheca Iuris Canonici Veteris* (Paris, 1661), t. II., pp. 639 ff.

⁹⁵ Synod of Tribur (895), c. 24, in Mansi, XVIII. 144 ff.

⁹⁶ "Capitulum ex Augustorum nostrorum libro", in the letter *Hincmari Laudunensis ad Remensem*, in *Hincmari Remensis Operum tomus posterior* (Paris, 1645), p. 343.

⁹⁷ Ratherius, *Synodica ad Presbyteros*, in D'Achery, *Spicilegium*, p. 378, col. 2.

⁹⁸ Synod of Hohenaltheim (916), c. 38, in Pertz, *Leges*, I. 560.

The English king, Henry II., extended the prohibition against ordaining unfree persons to include bondmen, in the decree: "sons of peasants may not be ordained without the consent of the lord on whose domain they were born."⁹⁹ The most humane position is that taken by the synod of Worms (868): If a bishop ordains a slave as priest or deacon, knowing that he is unfree, the slave shall remain clerk, but the bishop must give his master double compensation. If the bishop did not know he was a slave, those must pay the compensation who testified that he was free and sought his ordination.¹⁰⁰

Despite all prohibitions, there were always among the clergy actual slaves, that is, persons over whom others could exercise rights and from whom statute labor could be required.¹⁰¹ Naturally there was strong opposition to such an one's becoming bishop.¹⁰² Indeed, it occurred that certain laymen claimed an archdeacon on the ground that he was not free but their slave.¹⁰³

Occasionally the Church opposed the advancement of slaves to important positions. Since it had happened that slaves or freedmen had through royal favor risen to palatine offices, and had then persecuted their former masters, the synod of Toledo (683) forbade such an advancement in the future. Only freedmen or slaves of the fisc could thereafter be promoted to such offices. (Hefele adds: because they belonged to no other master than the king, and were not bound to private service.)¹⁰⁴

The worst feature of all is that the Church created slavery where it did not already exist. Since conspiracy and high treason were frequent, they were threatened by the synod of Toledo (693) with heavy penalties. Not only the guilty but also their descendants were condemned to perpetual slavery as subjects of the fisc.¹⁰⁵ Whoever took vows at springs, trees or groves, or made heathen offerings, and ate of them in honor of the gods, was sentenced, the noble to a fine of sixty, and the serf to fifteen *solidi*. If he

⁹⁹ Constitutions of Clarendon (1164), c. 16, in Mansi, XXI. 1190.

¹⁰⁰ Synod of Worms (868), c. 40, *ibid.*, XV. 876.

¹⁰¹ Synod of Poitiers (1078), c. 8, *ibid.*, XX. 498; synod of Melfi (1089), c. 11, *ibid.*, p. 723: "nullum jus laicis in clericos esse volumus et censemus. Unde cavendum est, ne servilis conditionis, aut curialium officiorum obnoxii ab episcopis promoveantur in clerum."

¹⁰² Synod of Toledo (633), c. 19, *ibid.*, X. 624; synod of Poitiers (1078), c. 8, *ibid.*, XX. 498.

¹⁰³ Synod of Valence (855), c. 23, *ibid.*, XV. 12.

¹⁰⁴ Synod of Toledo (683), c. 6, *ibid.*, XI. 1068 ff.; Hefele, *Conciliengeschichte*, III. 321.

¹⁰⁵ *Ibid.* (693), c. 10, in Mansi, XII. 78.

could not pay the fine, he became a slave of the Church until he had paid. Soothsayers and diviners were to be given to the Church or to priests (as slaves) according to a capitulary framed by Charlemagne at the synod of Paderborn (785).¹⁰⁶

If after his ordination any cleric, from a bishop down to a subdeacon, should have children by a servant, or a free woman, the parents should be canonically punished, the children lose their inheritance and become perpetual slaves of the Church in which the father served.¹⁰⁷ Some churchmen, not living in honorable wedlock, consorted with strange women or their own slaves. Bishops were instructed to secure such women and sell them. This hard law was promulgated in Spain, at the beginning of the seventh century.¹⁰⁸ If a subdeacon refused to give up his wife, he was to be removed from his ecclesiastical office and benefice. If, however, after being warned by his bishop, he still failed to yield, his wife was to be made a slave by the prince.¹⁰⁹ In England not only the movable property of priests, deacons, subdeacons and canons, who had wives, became the property of the bishop, but also the "concubines" themselves.¹¹⁰ The synod of Cologne (1083) threatened everyone who broke the Peace of God, or was guilty of murder or assault, with dire punishment. In the first place he must be banished and his property confiscated by his heirs. If these ventured to give him any assistance, the property must be taken from them, and he himself must thereafter belong as a slave to the royal domain.¹¹¹ A woman of noble rank who had deserted her husband three times was to be put under penance, and was to be prohibited from marrying again; but if she was a woman from the people she must be sold without hope of regaining her freedom. A noble who wrongly accused his wife of infidelity must pay an adequate fine. If he would not, or could not do so, his head must be shorn and he must be sold as a slave. If anyone abducted the bride of another without her consent, she must be returned to her betrothed; but the robber, if of noble rank, must give the canonical compensation, do penance, and lose all hope of marriage. If he could not pay the required sum, he must be sold into perpetual

¹⁰⁶ *Capitulare*, c. 21, in Pertz, *Leges*, I. 49.

¹⁰⁷ Synod of Toledo (655), c. 10, in Mansi, XI. 29; synod of Ofen (1279), c. 26, *ibid.*, XXIV. 283.

¹⁰⁸ *Ibid.* (633), c. 43, *ibid.*, X. 630.

¹⁰⁹ Synod of Melfi (1089), c. 12, *ibid.*, XX. 724: "principibus licentiam indulgemus, ut eorum feminas mancipent servituti."

¹¹⁰ Synod of London (1108), c. 10, *ibid.*, XX. 1231. Cf. synod of London (1127), c. 7, *ibid.*, XXI. 356.

¹¹¹ *Constitutio Pacis Dei*, in Pertz, *Leges*, II. 56.

bondage. If anyone abandoned his wife, and refusing to come to terms with her, permitted himself to be put into prison for debtors, he became a slave forever on the ground of his hatred for his wife. And should he be seen at any time enjoying liberty, he must again be sold.¹¹²

According to a synod in Palestine, in the time of the Crusades, a thief who could not restore stolen properties became the slave of the man whom he had robbed.¹¹³ Certain Christians furnished the Saracens with arms, iron and ship-timber, helped them in their wars against Christians, and even took service on their piratical craft; the property of such was to be confiscated by the civil authorities, and they themselves became the slaves of those who captured them.¹¹⁴ Baptized Jews could have no intercourse with the unbaptized. If they did, and persisted in their relations with the infidels, the latter became the property of the Christians and the former were publicly whipped.¹¹⁵ This law was incorporated in the canon law; it is found in Burchard, in Ivo, and in the *Corpus Juris Canonici*.¹¹⁶

Elizaeus was a slave of the church of Egabra. His bishop freed him. Afterwards he became proud and rebellious and attempted to poison the bishop and otherwise harm the church. The sentence of the synod of Seville (619) was that he should again become a slave, because anyone who had rebelled against his bishop and his former mistress, the Church, did not deserve to have his emancipation recognized.¹¹⁷ This sentence was adopted by Ivo¹¹⁸ and Gratian.¹¹⁹ If a female slave belonging to the Church was freed in church, or by letter of emancipation, and thereafter married a slave, she again became the slave of the Church. But if a free Bavarian woman married a slave and refused to render service to the Church, she might go her way, according to the synod of Neuching (772); but children born of such marriage were slaves and could not go with their mother.¹²⁰ The decree of the synod of Toulouse (1119): No churchman or layman may

¹¹² Synod of Gran (1114), c. 53, in Mansi, XXI. 109.

¹¹³ Synod of Nablus (Neapolis) (1120), c. 23, *ibid.*, p. 266.

¹¹⁴ Third council of the Lateran (1179), c. 24, *ibid.*, XXII. 230 ff.; synod of Montpellier (1195), c. 2, *ibid.*, p. 668; fourth council of the Lateran (1215), *ibid.*, p. 1066; council of Lyons (1245), *ibid.*, XXIII. 631.

¹¹⁵ Synod of Toledo (633), c. 62, *ibid.*, X. 634.

¹¹⁶ Burchardus, *Decretorum Libri XX.*, l. IV., c. 84, fol. 128^{ro}; Ivo, *Decretum*, pt. I., c. 278, fol. 41^{vo}; c. 12, C. XXVIII., qu. 1.

¹¹⁷ Synod of Seville (619), c. 8, in Mansi, X. 559 ff.

¹¹⁸ Ivo, *Decretum*, pt. XVI., c. 66, p. 437.

¹¹⁹ C. 62, C. XII., qu. 2.

¹²⁰ Synod of Neuching (772), c. 10, in Mansi, X. 854.

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enslave a freeman, whether clerical or lay¹²¹—is fairly to be noticed. Obviously, there were those who opposed making free men slaves. Did their opinions excite sympathy in wider circles? There is no evidence of it.

In 1376 Gregory XI., at enmity with the Florentines, excommunicated them and ordered them to be plundered, captured and reduced to slavery in all places whatsoever.¹²² And Nicholas V. in 1452 empowered Alphonso V. of Portugal to make war on all Saracens, heathen and other foes of Christ, to despoil them and reduce them to slavery.¹²³

What was the condition of slaves in this period? From the materials at hand there is no reason to believe that their condition was one easily borne.

Some precepts can indeed be adduced which manifest a humane spirit; but there are only slight indications that the Church seriously attempted to ameliorate the lot of slaves. Kindness no doubt promoted the instruction for confessors found in a penitential: "If slaves come to you, do not burden them as you would their masters, since slaves are not independent, but reduce their penance to one-half."¹²⁴ Considerably after this, Bishop Peter of Exeter, in his guide for confessors, prescribed that confessors should carefully note whether they are dealing with slaves or freemen.¹²⁵ A slave who perjured himself at his master's instigation should have a light penance, according to the decree of the synod of Hohenaltheim.¹²⁶ Theodore of Canterbury declared it illegal to take from a slave the money he earned by his own work.¹²⁷ To work on Sundays, whether voluntarily or at the command of a master was (to slaves) forbidden. If, however, a slave worked on Sunday by the order of his master, an English synod ruled that the slave became free, and that the master should be fined thirty *solidi*.¹²⁸ On the Monday,

¹²¹ Synod of Toulouse (1119), c. 5, in Mansi, XXI. 227.

¹²² The document in O. Raynaldus's continuation of the *Annales Ecclesiastici* of Baronius (Lucca, 1752), t. VII. (XXVI.), ad ann. 1376, num. 5, p. 280: "personas ipsorum omnium . . . exponimus fidelibus, ut capientium fiant servi." Cf. Langer, p. 39.

¹²³ A document of June 18, 1452, in Raynaldus, *o. c.*, t. IX. (XXVIII.), ad ann. 1452, num. 11, p. 600: "tibi Saracenos et paganos . . . subiugandi illorumque personas in perpetuam servitutem redigendi concedimus facultatem."

¹²⁴ *Poenitentialia Casinense*, c. 105, ad calcem, in Schmitz, p. 429. Cf. *Poenitentialia Valicellanum I.*, prolog., in Schmitz, p. 243.

¹²⁵ Peter of Exeter, *Summula*, in Mansi, XXIV. 845.

¹²⁶ Synod of Hohenaltheim (916), c. 25, in Pertz, *Leges*, II. 558.

¹²⁷ *Poenitentialia Theodori*, c. 13, par. 3, in Wasserschleben, p. 217.

¹²⁸ *Capitula Dacheriana*, c. 15, *ibid.*, p. 146; English synod (691-692), c. 3, in Mansi, XII. 57; synod of Berkhamstead (697), cc. 10, 11, *ibid.*, p. 112.

Tuesday and Wednesday before Christmas all slaves were to be excused from work in order to be free to take part in the general fasting.¹²⁹

In the late Middle Ages, at least, "bondmen and others of unfree status" were considered qualified to make a last will.¹³⁰ The threat of the synod of Szabolcs (1092) to punish with a twelve days' penance on bread and water any master, who failed to bring the corpse of his slave to church, indicates a laudable sentiment.¹³¹ Regino of Prüm required the investigation in the synodal court of those cases in which persons were accused of adultery in their own homes with their maids or slaves.¹³² This procedure no doubt afforded slaves some protection. Something similar was aimed at in the rule ordering the removal of all female slaves and freedwomen from monasteries and the residences of clerks.¹³³ Nicholas I. demanded that fugitive captive slaves be pardoned, and faithful slaves be leniently treated.¹³⁴ It was illegal to restrain a slave who ran away during the Peace of God.¹³⁵ Pippin, king of Lombardy, issued a capitulary at a synod about 781 which gave detailed instructions for the recovery of fugitive slaves.¹³⁶

Over against this stands the law that no slave could be the plaintiff in court.¹³⁷ Neither could freedmen testify in court against freemen; only in the third generation did their descendants become competent to act as witnesses.¹³⁸ In all probability no one opposed the corporal punishment of slaves for centuries.¹³⁹ They were punished by being stripped of their clothing and beaten with rods. Regino of Prüm relates that several persons protested against this to the bishop or his servants. The way in which he tells of it, however, makes it appear quite unlikely that he considered these complaints justified; rather the contrary.¹⁴⁰ Slaves who engaged in idolatrous practices, worshipped stones, lighted torches, made offer-

¹²⁹ *Leges Ecclesiasticae Aethelredi Regis*, c. 2, in Mansi, XIX. 319.

¹³⁰ Synod of London (1328), c. 4, *ibid.*, XXV. 831; "ascriptitorum vel aliorum servilis conditionis testamenta vel ultimas voluntates".

¹³¹ Synod of Szabolcs (1092), c. 25, *ibid.*, XX. 772.

¹³² Regino, *De Ecclesiasticis Disciplinis*, l. II., interr. 37, p. 209.

¹³³ Synod of Mainz (851-852), c. 7, in Pertz, *Leges*, I. 416.

¹³⁴ Nicolai I. *Responsa ad Consulta Bulgarorum*, cc. 21, 97, in Mansi, XV. 412, 431.

¹³⁵ *Constitutio Pacis Dei in Synodo Coloniensi*, in Pertz, *Leges*, II. 59.

¹³⁶ *Capitulare*, c. 9, *ibid.*, I. 43 ff.

¹³⁷ Synod of Rheims (624-625), c. 15, in Mansi, X. 596.

¹³⁸ Synodal statutes of Boniface, c. 15, *ibid.*, XII., app., p. 109.

¹³⁹ John of Antioch, *Nomocanon*, tit. 36, in Voellius and Justellus, *Bibliotheca Juris Canonici Veteris*, II. 644 ff.

¹⁴⁰ Regino, *De Ecclesiasticis Disciplinis*, l. II., interr. 76, p. 214.

ings at trees or springs, were to be whipped by the bishop or judge, and given in shackles to their masters; if he failed to punish them he was excommunicated.¹⁴¹

That churchmen mutilated their slaves with their own hands, or made others do so (*truncationes membrorum aut per se inferant aut inferenda praecipiant*), is a hideous fact.¹⁴² There are instances of slaves dying of hunger.¹⁴³ Whoever killed his slave without the foreknowledge of the judge was excommunicated for two years.¹⁴⁴ The object of this law was commendable; but the frequent reiteration of it leads one to surmise that the evil persisted for a long time.¹⁴⁵ One penitential extends its prohibition to cases in which the slave was actually guilty, and a judicial sentence had been rendered; even the master who killed his slave must do a year's penance.¹⁴⁶ "If thou art free and hast killed an innocent slave at thy master's command, thou shalt do penance a whole year, and three times forty days in each of the two following years", says an opinion of Regino of Prüm. If the slave deserved death only forty days' penance was necessary.¹⁴⁷ In the period immediately succeeding the conversion of the Germans, it sometimes happened that Christians sold their slaves to heathen for human sacrifices.¹⁴⁸ Happily nothing is heard of it later; indeed the capitulary of Charlemagne at the synod of Paderborn threatened death to anyone making human sacrifice.¹⁴⁹

Whoever knowingly took a slave to wife must keep her;¹⁵⁰ the

¹⁴¹ Synod of Rouen (682), c. 11, in Mansi, XI. 1037. Cf. synod of Berkhampstead (697), c. 14, *ibid.*, XII. 113. Further information on the punishment of slaves: *Constitutio Pacis Dei in Synodo Coloniensi* (1083), in Pertz, *Leges*, II. 56-58.

¹⁴² Synod of Emerita (666), c. 15, in Mansi, XI. 83 ff.; synod of Toledo (675), c. 6, *ibid.*, p. 141; Rabanus Maurus, *Poenitentium Liber*, c. 30, printed together with his *De Clericorum Institutione* (Cologne, 1532), quat. R., fol. 1.

¹⁴³ Synod of Frankfurt (794), c. 4, in Pertz, *Leges*, I. 72.

¹⁴⁴ *Poenitentie Cummeani*, c. 7, par. 29, in Wasserschleben, p. 480.

¹⁴⁵ Rabanus Maurus, *Poenitentium Liber*, c. 14, printed together with his *De Clericorum Institutione* (Cologne, 1532), quat. Q., fol. ii^{ro}; also his *Epistola ad Heribaldum*, c. 2, printed together with Regino, *De Ecclesiasticis Disciplinis*, ed. Baluze (Paris, 1671), p. 473; Regino, *o. c.*, l. II., interr. 1, 10, pp. 205 ff.; *Poenitentie Parisiense*, c. 53, in Schmitz, p. 687; *Poenitentie Halitgarii*, l. IV., c. 4, *ibid.*, p. 723; *Poenitentie Valicellanum III.*, *ibid.*, p. 783; *Poenitentie Laurentianum*, c. 42, *ibid.*, p. 788 (five years' penance).

¹⁴⁶ *Poenitentie Arundel*, c. 7, in Schmitz, p. 440.

¹⁴⁷ Regino, *De Ecclesiasticis Disciplinis*, l. I., c. 300, *Ordo ad dandam Poenitentiam*, p. 141.

¹⁴⁸ Gregorius III. Papa Bonifatius (732), in Jaffé, *Monumenta Moguntina* (*Bibliotheca Rerum Germanicarum*, t. III.), p. 94.

¹⁴⁹ Synod of Paderborn (785), c. 9, in Pertz, *Leges*, I. 49.

¹⁵⁰ Synod of Vermeria (753), c. 13, *ibid.*, I. 23.

same is true of a free woman who deliberately married a slave. But if a freeman married a wife, believing that she was free, and later learned that she was unfree, he could dismiss her and marry another.¹⁵¹ It has been stated that a free man who sold himself into slavery could reacquire his former status by paying the sum he had received. If he had a free wife, his children by her were forever free.¹⁵² Slaves who have united themselves with female slaves without a nuptial ceremony shall, says Nicephorus Chartophylax, be excommunicated and parted from their wives until the ceremony is performed.¹⁵³ This order seems harsh, but it unquestionably fostered respect for the marriages of slaves. The same thing is true of the following, respecting marriages between slaves of different masters: such unions, to be valid, required the consent of both masters.¹⁵⁴ It is true also of the decision of the synod of Vermeria (753): "If through sale a slave be separated from his wife, also a slave, each should be urged to remain thus (*i. e.*, not to marry again) in case we cannot reunite them."¹⁵⁵ An excellent attitude is that of the synod of Châlons (813):¹⁵⁶

We have learned that certain masters, acting on usurped authority, dissolve the legitimate marriages of their slaves, thus ignoring the word of the Gospel: "What God hath joined together let no man put asunder". Let no such marriages be dissolved, even if the slaves do not belong to the same master, provided the marriage was legally performed and both masters gave their consent.

On the whole, however, there are good reasons for believing that the marriage ties of slaves were pretty loose. If, for example, two slaves were joined in wedlock by their common master, and one of them was thereafter freed, that one was permitted to marry again, if the freedom of the other could not be bought.¹⁵⁷

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¹⁵¹ Synod of Compiègne (757), cc. 7, 8, in Pertz, p. 28. Cf. synod of Dingolfing (769-771), c. 10, in Mansi, XII, 852.

¹⁵² Synod of Bonneuil (Paris, 618 ?), c. 14, *ibid.*, X, 548.

¹⁵³ Nicephorus Chartophylax, *Ad Monachum Theodosium*, in *Magna Bibliotheca Veterum Patrum*, III, 48.

¹⁵⁴ Ahyto Basiliensis, *Capitulare*, c. 21, in D'Achery, *Spicilegium*, I, 398.

¹⁵⁵ Synod of Vermeria (753), c. 19, in Pertz, *Leges*, I, 23.

¹⁵⁶ Synod of Châlons (813), c. 30, in Mansi, XIV, 99.

¹⁵⁷ *Poenitentiale Theodori*, c. 13, par. 4, 5, in Wasserschleben, p. 217.

ENGLISH CONSPIRACY AND DISSENT, 1660-1674, II.

WITH the outbreak of hostilities between England and Holland in the spring of 1664 the hopes of the revolutionary party opposed to the English government, so rudely dashed by the collapse of their plot of the preceding year, began to revive. Even those shrewd and experienced exiles whose lack of faith in miracles had kept them from any active share in the previous designs against Charles and his ministers, now began to take an interest in the possibility of overthrowing their rivals in England by means of foreign interference or aid.¹ The summer of 1664 which was spent by England and Holland in warlike preparations was a time of earnest negotiation between the conspirators, the exiles and the Dutch.² In Holland the disaffected English saw what they had previously lacked, a source of money, arms and supplies, a base of operations, and a possible ally. In them the Dutch saw a rich recruiting ground and a possible means of diversion within England itself. Many English soldiers and sailors driven by poverty or persecution had taken service in Holland.³ The prospect of war drew many more to that country. Ludlow was approached with the offer of a commission, and two of his companions, Colonels Say and Biscoe, went to Holland to enter Dutch service. Thither came Algernon Sidney, and it was presently said that 160 old officers were gathered there, many of them in Dutch pay.⁴ Meanwhile the English revolutionaries, despite their recent reverses, were equally active at home. Those who had escaped were reported mad for revenge, and plotting to that end.⁵

The administration, meanwhile, in the face of these activities, had taken steps to protect itself on the assembling of Parliament. A commission was appointed to look after the fortifications of the Tower, and disbanded officers and soldiers ordered by proclamation

¹ Clarendon, *Life, Continuation*, par. 524 ff.; Ludlow, *Memoirs*, ed. Firth, II. 341, etc.; *Cal. St. P. Dom.*, 1663-1664, pp. 562, 566; cf. also *ibid.*, pp. 279, 426, 434, 610, 615, etc.; *id.*, 1664-1665, pp. 6-89 *passim*.

² *Somers Tracts*, VIII. 439 ff.; *Cal. St. P. Dom.*, 1664-1665, p. 191.

³ *Ibid.*, p. 140; Ludlow, II. 381-389.

⁴ Ludlow, and *Somers Tracts*, *ut supra*; Ludlow, II. 345.

⁵ *Cal. St. P. Dom.*, 1663-1664, pp. 554-597 *passim*. Williams, *History of English Journalism*, p. 186, note, declares there was an "organized campaign of seditious journalism", for participation in which a printer, John Twyn, was hanged in this year.

to absent themselves from London and Westminster from March 30 to September 30, and meanwhile not to carry any weapons.⁶ Among various causes of uneasiness, 'prentice riots in London, the machinations of one Evan Price in the north, and rumors of plots everywhere,⁷ the administration was at once relieved and alarmed to discover what they had long suspected, that contributions were systematically collected to aid the agitators. One John Knowles of Pershore, it appeared, had for some years handled the funds thus collected for the "Protestants of Piedmont" and the "Polonian exiles", to be used, it was believed, for the relief of those opposed to the government, at home as well as abroad.⁸ Examinations were continued probing the recent plot, and at least one of its contrivers was released in hope of gaining more evidence.⁹ Among the more interesting developments it was found that arms had been brought into England under guise of use by the Royal African Company, which threw some light on the obscure incident of the two Whites, who were connected with it.¹⁰ The Dutch were said to be encouraging the rising resistance to the Conventicle Act by distributing the heads of that measure in England under title of "An Act for suppressing the worship of God", and while the more moderate sects had determined to keep within its provisions and increase their numbers quietly, the more desperate planned to rise with Dutch aid.¹¹ One of the leaders of the late plot, Mason, escaped from York Castle, and no further information being obtainable from its chief promoter, Atkinson, he was duly hanged.¹² This summer of 1664 was not without more exciting incidents. The discovery of a "desperado plot" to seize the Tower and Whitehall led to arrests which checked the design.¹³ The enforcement of the Conventicle Act revealed the great strength of the sectaries in London,¹⁴ and at York, at Exeter, at Barnstaple and Plymouth it was considered necessary to keep forces on foot against sedition.¹⁵ Finally, in August, that devoted servant of the administration, Major Riordan, wrote that he had been so far successful in his patriotic designs against the

⁶ *Cal. St. P. Dom.*, 1663-1664, pp. 520, 530; Pepys, *Diary*, *passim*.

⁷ *Ibid.*, *ut supra*; *Cal. St. P. Dom.*, 1663-1664, pp. 519, 545.

⁸ *Ibid.*, pp. 258-678 *passim*; *id.*, 1664-1665, pp. 39, 80, 99.

⁹ *Id.*, 1663-1664, pp. 556-664 *passim*.

¹⁰ *Ibid.*, p. 586.

¹¹ *Ibid.*, pp. 587, 621, also *passim*, pp. 606-650.

¹² *Ibid.*, pp. 635, 638, 664, 676; *id.*, 1664, p. 5.

¹³ *Id.*, 1663-1664, p. 671; *id.*, 1664, pp. 6-35 *passim*; *cf.* also, for other measures, *ibid.*, pp. 615-667 *passim*.

¹⁴ *Id.*, 1663-1664, pp. 71, 603-678 *passim*; *id.*, 1664, pp. 44-82 *passim*.

¹⁵ *Id.*, 1663-1664, p. 654; *Hist. MSS. Comm. Reports*, XV. 7, p. 97.

refugees in Switzerland as to have compassed the assassination of the ex-chancellor, Lisle.¹⁶

The meeting of Parliament in November was preceded by royal orders to the Mayor and Aldermen of London to search in person every Sunday for conventicles. This was accompanied by the usual proclamation against old officers and soldiers remaining in the City.¹⁷ The main concern of the session was the impending war which was formally declared in February, 1665. It was not begun without a last attempt to conciliate the Dissenters. Anglesey and Ashley presented to the Lords a proposal to sell indulgence in the form of licenses to Nonconformists. But the joint opposition of Clarendon, the Duke of York, and the bishops, with their respective followers, was too great and to the King's chagrin the proposition was defeated. In his closing speech he confined his remarks to the bills offered, but warned the members against the republicans and the Dutch.¹⁸

That warning, at least, was sincere and better founded than perhaps even the King or his ministers knew. For at this very time Say was writing Ludlow that there was certain to be a rising in England in connection with a Dutch attack, and that 30,000 men, a third of whom were land soldiers under old officers, with a fleet and money were at their service to restore the Commonwealth.¹⁹ That English troops and especially officers were being enlisted by the Dutch was beyond question. It was further reported that there were definite designs for a combined rising of the sectaries and a Dutch attack, involving the seizure of Bristol, a Dutch descent on the east coast, and the release of Lambert, but that this would not take place before the Dutch put to sea in May.²⁰ De Witt was indeed slow to yield to the pleadings of Sidney and his friends for the encouragement of insurrection. His own position was too vulnerable, and he had no desire to alienate the English government more than was absolutely necessary.²¹ None the less the design proceeded. A Frenchman, Marchant, was seized and sent to the Tower under strong suspicion of plotting Lambert's release, and additional measures were taken to secure that dangerous prisoner.²² A design of the "desperadoes", Blood, Lockyer, Jones, Wise, Carew

¹⁶ *Cal. St. P. Dom.*, August, 1663-1664; also Ludlow, as above.

¹⁷ *Cal. St. P. Dom.*, 1664-1665, pp. 7, 79.

¹⁸ *Secret History*, pp. 127 ff.; Clarendon, *Life, Cont.*, par. 583-595; *Parliamentary History*, IV. 296-317.

¹⁹ Ludlow, II. 376 ff.

²⁰ *Cal. St. P. Dom.*, 1664, pp. 140, 207, 216, for the plan, pp. 126-191 *passim*, also pp. 197-219; cf. also pp. 234-235, and Burnet, I. 414 (ed. 1833).

²¹ Burnet as above; *Camb. Mod. Hist.*, V., ch. vii.

²² *Cal. St. P. Dom.*, 1664-1665, p. 198.

and Lee was unearthed. Their plan was to take houses near the Tower and Whitehall, and surprise those points as the prelude to a general rising.²³ Prompt action averted the danger, but the principals escaped, and the local officials everywhere were warned that the project was still on foot and were ordered to use all means to suppress it.²⁴ The capture of John Atkinson, "the stockinger" of Askrigg, much wanted for his share in the late plot, brought little result beyond the seizure of some revolutionary literature, nor was the capture of the collector-general of the sectaries, Knowles, of more value than in checking his own activities.²⁵ Hardly were these small successes achieved when warnings arrived from Scotland that Colonel Carr was recruiting there under a Dutch commission, and that Major-Generals Hepburn and Munro, General Leslie (Lord Newark) and others should be secured.²⁶ These, with other alarms, led to the disarming of suspected persons in western Scotland, the arrest of seamen thought to be corresponding with the Dutch, the issue of orders to local authorities to levy militia assessments and keep forces on foot, and the despatch of additional spies to Holland.²⁷

The issue depended, however, not on these disjointed designs of discontented sectaries but on the success of the fleet. The defeat of the Dutch in the battle of Lowestoft, on June 3, 1665, brought to an end for the time the hopes of those who had counted on an English naval disaster.²⁸ The administration was correspondingly elated, but their rejoicing was short-lived. On the heels of victory came the plague which by June had produced a reign of terror in London. The court and most of the clergy fled before it. In consequence Nonconformist ministers emerged from their hiding places, and resumed their sacred office. Conventicles increased and conspiracy again raised its head.²⁹ Early in the summer the authorities unearthed a design, known from the name

²³ *Cal. St. P. Dom.*, 1664-1665, pp. 259-263, 271; *Hist. MSS. Comm. Reports*, XII. 7, pp. 34-35; cf. also *Hist. MSS. Comm. Reports*, Heathcote, pp. 146, 182; *id.*, *Various*, II. 121, 235, 246; also *Cal. St. P. Dom.*, 1664-1665, pp. 169, 172.

²⁴ *Hist. MSS. Comm. Reports*, XII. 7, pp. 34-37; *id.*, *Various*, II. 379; also *id.*, XIII. 4, p. 464; XIV. 4, p. 75; also *Cal. St. P. Dom.*, 1664-1665, pp. 286-287.

²⁵ *Ibid.*, pp. 259-372 *passim*, for Atkinson. For Knowles, *ibid.*, pp. 330, 442, 466, 497; cf. also *id.*, 1663-1664, p. 292, and *id.*, 1661, p. 87.

²⁶ *Id.*, 1664-1665, pp. 344-431 *passim*; cf. also Willcock, *A Scots Earl*, pp. 138-139.

²⁷ *Cal. St. P. Dom.*, 1664-1665, pp. 363-392 *passim*, also pp. 314, 348; *Hist. MSS. Comm. Reports*, Heathcote, p. 191.

²⁸ Clarendon, *Life*, *Cont.*, par. 638 ff.; Pepys, June 13, etc.; *Cal. St. P. Dom.*, 1664-1665, pp. 407, 412, 437, 442.

²⁹ *Ibid.*, pp. 431-518 *passim*; Calamy, *Nonconformist Memorials*, ed. Palmer, I. 57; *Cal. St. P. Dom.*, August, 1665, *passim*.

of its chief victim, as the Rathbone Plot, an old plan in a new, and, under the circumstances, a more dangerous form. It contemplated the capture of the Tower by men crossing the moat in boats and surprising the undefended walls. Governor Robinson and General Browne were to be killed, and, strange precursor of the later catastrophe, the City was to be fired. The date set for the attempt was the sacred day of the Cromwellians, September 3. The seizure of the Tower was to be accompanied by risings throughout the country, especially in the west, and in Scotland.³⁰ The steps taken by Albemarle indicate how serious he considered the danger. As early as June 28 all old soldiers were ordered from the City. Officials of the northern counties were warned to be on their guard and seize suspicious persons. Long lists of warrants were issued and hundreds of arrests made. In one month fifty-five prisoners were sent to Lincoln Castle alone. Troops were ordered up to assist the local authorities if necessary. The Duke of York, on his way to Hull to inspect the fortifications, requested blank commissions for use in an emergency, and secured the promise of Lord Fairfax to aid the King in case of disturbance. In Scotland many arrests were made, including the generals Hepburn, Munro and Montgomery. Portsmouth was secured against surprise, and in London Albemarle took extraordinary precautions. Conventicles were vigorously suppressed, forces were recruited, and a steady stream of prisoners passed before the duke for examination on their way to the Tower. Special pains were taken to guard that stronghold, and its officers were ordered, among other things, to have three ships' lading of arms and ammunition ready for instant use against the King's warning. The danger passed, though not without further alarms among which the seizure of twenty barrels of powder being carried to Malmesbury gave substance to the darkest suspicions. The design was sifted, the guilty determined and held, and the others released.³¹

With this Parliament came together at Oxford, fearful of the plague in London. It is not surprising that, in the midst of war, disturbed by such recent alarms, meeting in a strange place and under protection of troops, the few members who had ventured to come together followed the Chancellor's lead in urging reac-

³⁰ Macpherson, *Life of James II.*, Docts., 1665; Pepys, September 1, 1665; Clarendon, *Life, Cont.*, par. 596; Ludlow, II. 489.

³¹ *Cal. St. P. Dom.*, 1664-1665, pp. 451-582 *passim*; *id.*, 1665-1666, pp. 2-550 *passim*; *Hist. MSS. Comm. Reports, Var.*, II. 120. Willcock, *A Scots Earl*, p. 139, adds Colonel Robert Halket and William Rolston to those arrested at this time.

tionary measures. Stimulated by the recent revelations they hurried through the so-called Five Mile Act by which Dissenting preachers and teachers were forbidden to come within five miles of a city or corporate town, save on a duly certified journey. Not content with this a bill imposing an oath of passive obedience on the whole nation was introduced and almost passed. Finally they voted to recall the English then in Dutch service under penalty of being declared guilty of high treason.³²

Meanwhile the alarms continued. On October 23 hurried orders had been sent to the eastern counties to call out the militia and secure the Isle of Ely from the "fanatics or other enemies", and two companies were sent to guard Yarmouth.³³ The Somerset forces were warned to seize the agitator, Colonel Bovett, and prevent a possible rising.³⁴ Throughout November and December arrests and examinations were stimulated by news of a plot set for January 1.³⁵ The chief difficulties appeared in the north and Scotland,³⁶ and were as much financial as religious, the receivers of hearth money reporting that they met many obstacles even from the justices of the peace in those districts.³⁷ On December 16-17 twelve persons were committed to York Castle and two days later the northern authorities were informed by Albemarle that a rising was projected in Lancashire and Cheshire by some persons lately home from Holland and were ordered to secure the disaffected. His commands were carried out and Lord Freschville who took some of the conspirators reported the design on December 24. It was petty enough. One John Wilson and his father-in-law, Bradshaw, who had been released by Buckingham from York Castle on promise of good conduct after the plot of 1663, had raised men and money in the northern counties. Wilson confessed, and though other prisoners denied complicity they were all punished. With this success, and some letters from Blood and Carr which indicated that those much-wanted plotters were seeking or pretending to seek accommodation with the government, the agitations of 1665 came to an end.³⁸

In many respects the year had gone well for the administration.

³² *Parl. Hist.*, IV. 317-332; Clarendon, *Life, Cont.*, par. 691 ff.; Ludlow, II. 394.

³³ *Cal. St. P. Dom.*, 1665-1666, pp. 24-25.

³⁴ *Ibid.*, p. 25.

³⁵ *Id.*, 1665, p. 277.

³⁶ *Ibid.*, pp. 47, 72, 76; Willcock, *A Scots Earl*, p. 139.

³⁷ *Hist. MSS. Comm. Reports*, XIV. 4, p. 76.

³⁸ *Cal. St. P. Dom.*, 1665-1666, pp. 91-176 *passim*; cf. also *id.*, 1661-1662, p. 481; *Hist. MSS. Comm. Reports, Var.*, II. 121.

The Dutch had been defeated, the plots unravelled. But the domestic disaffection was not lessened and the plague had seriously crippled a principal source of supply. The new year began with a fresh series of alarms. In January Louis XIV. declared war against England, according to his agreement with the Dutch. A plan to kill Charles was reported and stringent measures taken to protect his person against assassination.³⁹ And late in the month orders were issued to the authorities of the coast counties to prepare against invasion and insurrection, which grew increasingly probable.⁴⁰ Early in February definite information of a design to seize Dover was transmitted to the government by one Schaick, a Dutch merchant there.⁴¹ Similar designs were reported from other places, notably Liverpool.⁴² Rumors of Richard Cromwell's participation in these new plans became so frequent that through his servant Mumford he took steps to deny them specifically to the Council, whom he petitioned to withdraw his name from the proclamation recalling English fugitives and permit him to live quietly in Paris under an assumed name, safe from creditors and conspirators alike.⁴³ Ludlow also resisted all entreaties to join the proposed expedition, though passports were issued to him and to Sidney in March to travel through France. Sidney, however, threw himself into the scheme, and appealed in person to Louis XIV. for 100,000 crowns to finance the expedition. Of that sum he was promised but a fifth, which was considered inadequate for the purpose. Meanwhile the proclamation recalling the fugitives appeared. Scott, Honeywood, Kelsey, White, Burton, Cole, Desborough, Spurway, Radden, Richardson, Grove and Phelps were summoned by name to render themselves before July 23 or be attainted of treason.⁴⁴ Two weeks later Colonel John Rathbone and seven other officers and soldiers were found guilty of the plot of the preceding September and presently executed.⁴⁵

This was the last considerable event in the contest until the meeting of the fleets,⁴⁶ on which, as in the preceding year, every-

³⁹ *Cal. St. P. Dom.*, 1665-1666, p. 210, etc.

⁴⁰ *Ibid.*, pp. 207-214, 224-273 *passim*, especially January 25, pp. 2, 3, 4, February 12, etc.; *Hist. MSS. Comm. Reports*, XIII. 4, p. 446; XV. 7, p. 101; Ludlow, II. 492.

⁴¹ *Cal. St. P. Dom.*, 1665-1666, pp. 239, 409.

⁴² *Ibid.*, p. 243.

⁴³ *Ibid.*, pp. 189, 270, 281, 299; *Hist. MSS. Comm. Reports*, Ormonde, III. 209-210.

⁴⁴ Ludlow, II. 381, 386, 393-394, 396-397; *Cal. St. P. Dom.*, 1665-1666, pp. 318, 342; *Dict. Nat. Biog.*, "Algernon Sidney".

⁴⁵ Pepys, March 23-April 6; Ludlow, II. 489.

⁴⁶ *Cal. St. P. Dom.*, 1665-1666, pp. 340-409 ff., for rumors.

thing hinged. On June 1 they met off the Dunes in a terrible four days' battle. Neither side was victorious, though Albemarle was saved from defeat only by the opportune arrival of Rupert. Under the circumstances even a drawn battle was felt to be a success for it prevented a Dutch landing and a possible rising.⁴⁷ The old duke's bull-dog courage was in fact criticized on precisely that ground. "It would have been better", said Carteret, "had he retreated earlier, rather than venture the loss of both fleet and crown, as he must have done had not the Prince arrived."⁴⁸ The result of the battle did not, as in the preceding year, restore quiet. A general feeling of uneasiness pervaded the country, and men began to be anxious about the stability of the government.⁴⁹ The City refused the King's request for a loan and monied men in the north were said to be, like those in London, anti-royalist and unwilling to lend to the crown.⁵⁰ These things, with the alarm of invasion, greatly disturbed the administration.⁵¹ Governors of forts and garrisons were ordered on June 26 to repair their fortifications, victual for two months and fill up their quota of soldiers. At the same time the lord lieutenants were instructed to make the militia ready against invasion, commissions were issued to nine persons, including Buckingham and Monmouth, to raise regiments of horse to be paid from the militia money.⁵² On the other hand it was reported that though some leaders promised a rising if troops were landed, the Dutch relied on their sailors rather than their soldiers, while Albemarle and Rupert both declared that the enemy would not land as they had no horse and their foot was only fit to man ships.⁵³ In any event nothing would be done till after the next battle. Nevertheless disaffection presented serious difficulties. Deal was even reported so "dismally affected" that it was not safe to quarter troops there.⁵⁴ Another plan was discovered to release Lambert,⁵⁵ and the desperadoes were said to be kept from rising only by dissensions among themselves and lack of money.⁵⁶ The government acted promptly on its information. Many London houses, including that of Lady Rolles, were searched for suspicious persons, papers and

⁴⁷ *Cal. St. P. Dom.*, 1665-1666, p. 422; Ludlow, II. 492.

⁴⁸ Pepys, June 11, 1666.

⁴⁹ *Cal. St. P. Dom.*, 1665-1666, pp. 442-522 *passim*.

⁵⁰ *Ibid.*, p. 459.

⁵¹ *Ibid.*, pp. 356, 376, 442, 469.

⁵² *Ibid.*, pp. 461, 466, 475-476, 489; *Hist. MSS. Comm. Reports, Var.*, II. 122.

⁵³ *Cal. St. P. Dom.*, 1665-1666, pp. 469, 476, 485.

⁵⁴ *Ibid.*, pp. 477, 487-488.

⁵⁵ *Ibid.*, p. 522.

⁵⁶ *Ibid.*, pp. 488, 521.

arms.⁵⁷ The design to release Lambert was thwarted and the governor of Guernsey was ordered to hang de Briselone, Sieur de Vancourt, the governor of the Isle of Chanzy, who had been captured in the attempt, together with the master of the ship in which it was proposed to carry off the general, and in case of invasion a significant blank was left in the instructions.⁵⁸ As the crisis approached a change came over the temper of the people. The lord lieutenants were warned on July 15 to be on their guard against disaffection and invasion, and if a landing was attempted to give no quarter.⁵⁹ On that same day the first fruits of the policy toward the refugees appeared, for, to the general surprise, Desborough arrived in England to submit to the proclamation.⁶⁰ Other signs were no less encouraging. In the face of actual invasion men laid aside their differences. The deputy lieutenants of York set an example for the rest of the kingdom by subscribing £2000 for defense.⁶¹ The Nonconformists were reported from many quarters as ready, even eager, to fight the Dutch and French though there were doubts as to whether it was wise to enlist them and "let them count their numbers".⁶² And though warnings of the most desperate designs were received from Westmoreland, though 1800 men were reported ready to rise in London and the King's life was declared to be in imminent danger, the success of all these plans rested on the fortunes of the fleet.⁶³ They were soon determined. On July 25 the Dutch and English met off Sheerness and the English were wholly successful. Two days later they made a descent on the coast of Holland burning some towns and destroying much shipping and merchandise.⁶⁴

The relief was great. The Council ordered thanksgivings to be offered for the victory, and every fourth man of the militia to be dismissed.⁶⁵ Immediate advantage was taken of the confusion and depression of the disaffected to gain the submission of the remaining refugees. The informer Grice who had revealed the Rathbone Plot was engaged to secure Blood, Jones, Palmer and

⁵⁷ *Cal. St. P. Dom.*, 1665-1666, pp. 477, 497.

⁵⁸ *Ibid.*, p. 522; hanged October 3, *id.*, *Add.*, 1660-1670, p. 727.

⁵⁹ *Id.*, 1665-1666, p. 538.

⁶⁰ *Ibid.*, pp. 529, 544.

⁶¹ *Hist. MSS. Comm. Reports, Var.*, II. 122-123.

⁶² *Cal. St. P. Dom.*, 1665-1666, pp. 532-533, 587; *id.*, 1666, p. 3; *Hist. MSS. Comm. Reports, Var.*, II. 122-123; *id.* XII. 7, pp. 40-41, for alarms and plots; *Cal. St. P. Dom.*, 1665-1666, p. 546, for Nonconformists.

⁶³ *Cf.* note 62.

⁶⁴ Scott, *Rupert*, p. 315; *Cal. St. P. Dom.*, 1666, pp. 16-17.

⁶⁵ *Ibid.*, p. 44.

Alexander who were said to have gone to Ireland to do mischief.⁶⁶ Custis again approached Dr. Richardson, and an agent was employed to gain over Colonel Scott.⁶⁷ This was a person otherwise known to fame as a novelist, the first if not the worst of her species, Mrs. Aphra Behn. Another lady who remained anonymous, perhaps from motives of delicacy, agreed, for a suitable reward, to play the part of Delilah in securing Ludlow.⁶⁸ From her and from hints thrown out by Richardson to Custis another design against the King's life, apparently through poison, and involving his fruiterer and confectioner, was revealed.⁶⁹ At the same time, acting on information from Mrs. Behn and others, the Council contrived an intrigue of its own against De Witt, in behalf of the Prince of Orange. This was devised with the aid of one Buat, formerly secretary in the office of Arlington, and now employed in a similar capacity in Holland. It was almost immediately discovered. Buat was seized, Tromp, his brother, and others connected with it were dismissed, and the plot collapsed.⁷⁰ The worthy Mrs. Behn, meanwhile, won over Scott, and learned from him of the dissensions among the exiles and their dissatisfaction with the Dutch.⁷¹

These activities were interrupted by the great fire which broke out in London on September 3 and laid a great part of the City in ashes. The damage it wrought was scarcely deeper or more widespread than the terror. The Papists, the French, the Dutch and the sectaries were variously charged with the catastrophe. The coincidence of the date with that set for the design of the year before was conclusive to many minds that it was the work of the insurrectionaries.⁷² It was expected they would take advantage of the situation, and the court, as usual, turned to Albemarle, then with the fleet, to save them. "The consequences by disorders likely to follow", wrote Arlington to Clifford, "are terrible." The King, with the unanimous concurrence of the Council, urged the duke's return, confident that "could he see the condition of things he would come, for he would have it in his hands to give the King his

⁶⁶ *Cal. St. P. Dom.*, 1666, p. 64; cf. also *id.*, 1665-1666, pp. 526-527.

⁶⁷ *Id.*, 1666, p. 44.

⁶⁸ *Ibid.*, p. 65.

⁶⁹ *Ibid.*, pp. 64-65.

⁷⁰ *Ibid.*, pp. 72 ff.; Ludlow, II. 398; Pontalis, *John De Witt* (trans. Stevenson); *Secret Hist.*, II. 203 ff.

⁷¹ *Cal. St. P. Dom.*, 1666, p. 82; Clarendon, *Life, Cont.*, par. 835 ff.; some desperadoes taken, *Cal. St. P. Dom.*, 1666, p. 91.

⁷² *Secret Hist.*, II. 231 ff.; Clarendon, *Life, Cont.*, par. 887 ff.

kingdom a second time".⁷³ The appeal was effective. Albemarle left the fleet for London on September 6 and under his firm hand order emerged from chaos.⁷⁴ The anxiety of those in power was not lessened meanwhile by the information poured in upon them by the industrious Mrs. Behn. The design of Captain Woodman, Colonel Doleman and De Witt to blockade the Thames with sunken ships, Sidney's activities, news of the agitators, White, Sydrach Lester, the Quaker Turley, plans for a rising and details of proposed invasion alternated in her letters with news of dissensions within the States and between them and the French.⁷⁵ The alarms were not confined to the City, the Council and Mrs. Behn. The whole country was disturbed, and in many places, especially in the north, militia was called out and arrests made to ensure quiet.⁷⁶ To crown all there appeared on September 19 a declaration of war against Denmark, which had been added to the list of England's enemies by Dutch diplomacy.⁷⁷ But with all the excitement, the warnings and the catastrophe, no rising appeared. The conspirators had learned since 1663, if they had learned nothing else, that without foreign aid success was hopeless. The Dutch were in no condition to take the offensive, the French were half-hearted foes at best. Many of the chief agitators were in Ireland, and the disaffected in London were more crippled by the fire than the government they opposed.⁷⁸

When Parliament met on September 21, therefore, for the first time in the reign the speech from the throne contained no reference to plots. This was highly unsatisfactory to the Commons which felt that the origin of the fire had not been adequately investigated. They appointed a committee to secure information regarding priests and Jesuits and to probe the rumors of conspiracy. A bill for inspecting public accounts, and another against the importation of Irish cattle were passed at the instigation of Buckingham and Ashley over the Chancellor's protest, and an attempt was made to impeach Lord Mordaunt as a precedent for similar action against the Chancellor.⁷⁹ But men were less moved by these things than by the open quarrel between Clarendon and his rivals, the revelations of

⁷³ *Cal. St. P. Dom.*, 1666-1667, p. 99.

⁷⁴ *Ibid.*, p. 105; cf. also Pepys.

⁷⁵ *Cal. St. P. Dom.*, 1666, pp. 72-156 *passim*.

⁷⁶ *Ibid.*, pp. 128 ff.; *Hist. MSS. Comm. Reports*, XII. 7, p. 42.

⁷⁷ Clarendon, *Life, Cont.*, par. 824.

⁷⁸ *Cal. St. P. Dom.*, Mrs. Behn's letters, September 25, and p. 156; Pontalis, *John De Witt*; cf. above note on Grice; Macpherson, *James II.*, I. 24.

⁷⁹ *Parl. Hist.*, IV. 332-363; *Secret Hist.*, II. 255 ff.; Clarendon, *Life, Cont.*, par. 943 ff.

weakness and corruption, the increase of taxation in the face of great calamity, and the extravagance of the court. It was felt, even in Parliament, that this was no time to irritate the Dissenters and a bill to enforce the Corporation Act was defeated. At the same time, acting on reports and warnings from government agents and friends, spies were increased, proclamations were issued against the Catholics, arrests were multiplied and various places, notably Exeter Castle, were fortified.⁸⁰

These rumors culminated suddenly and unexpectedly. On November 15 a body of horse and foot marched into Dumfries and seized Sir James Turner who had been vigorously carrying out the government's policy of repression among the extreme Presbyterians of Galloway. Under command of a certain Captain Wallis they marched on Edinburgh where they expected a rising in their behalf. Their numbers increased to about 2000, and though they were joined by no persons of rank or quality, it was reported that they had a number of old officers among them. With the first alarm of the rising the discontented began to stir in England. From Yarmouth, Bristol and other centres of disaffection came the usual crop of rumors. Fifty or sixty horse appeared bound for Acton. Riots of seamen took place in London. The Catholics were reported to be refusing the oaths. The government took active steps to defend itself. The Catholics were ordered to disarm, the authorities of the northern counties were commanded to seize all suspicious persons, troops were sent north, and fifty foot were despatched to Leeds. But the danger, if not the alarm, was short-lived. The loyal Scotch nobility and gentry flocked to join the regular troops which were hurried forward to meet the rebels. Divisions appeared in the counsels of the rebel leaders and while they hesitated overwhelming forces gathered against them. On November 28 they were attacked and routed at Pentland Green. Many were killed, some 300 were captured, of whom ten were hanged at once and twenty more condemned to death later. In all 120 were punished for their share in the short-lived insurrection. Wallis alone of the leaders was taken. The rest escaped, it was said, to Ireland, whence many of them had come.⁸¹

⁸⁰ *Cal. St. P. Dom.*, 1666, pp. 167, 178-179, 206-287 *passim*; *Hist. MSS. Comm. Reports*, XIV. 2, p. 301; *id.*, *Montague-Beaulieu*, p. 168; Pepys, October 30, November 9-10.

⁸¹ Best account, Terry, *Pentland Rising*. Cf. also *Cal. St. P. Dom.*, 1666, pp. 272-365 *passim*; Carte, *Ormonde*, VII. 103; *Hist. MSS. Comm. Reports*, XII. 7, pp. 42-43; *id.*, XIV. 2, p. 203; *id.*, XIII. 467; Pepys, November 24, December 5 and 19; Willcock, *A Scots Earl*, pp. 140-145.

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But the English government was winning Pyrrhic victories. Weakened by the plague, the fire and the war, the country began to resist the demand for more money. Hearth tax riots were reported from many places, and continued disturbances among the seamen kept Albemarle and the guards continually on the alert in London.⁸² Many fomenters of sedition were still at large, and the Dutch government was found to be planning another attempt at invasion.⁸³ The administration was near the end of its offensive resources and was glad to meet the Dutch proposals for negotiations. Steps were accordingly taken to send plenipotentiaries to Breda in the spring of 1667 to arrange a peace. In the midst of its satisfaction at the conclusion of hostilities, however, the country was startled by an extraordinary incident. On May 3 a warrant was issued for the arrest of the Duke of Buckingham on a charge of treason. His steward, Henry North, had already been seized, and an inquiry was on foot to determine his relations and those of his master with conspirators like Mason and Greathead. Having eluded the officer sent to arrest him, the duke was proclaimed on March 8 for holding secret correspondence, resisting a messenger and evading summons. He was deprived of all his offices, and several of those with whom he was known to have been associated were arrested, notably an astrologer, Heydon, from whom it was hoped to secure testimony. Many examinations were held and considerable evidence obtained of the duke's connection with the fanatics and of his dealings with Heydon. Warrants were issued for Blood and eleven others, and the prisoners in the Tower and York Castle were closely interrogated.⁸⁴

To many this whole business seemed an attempt of Clarendon, or worse enemies of Buckingham, to put him out of the way. Others, not less well-informed, declared the matter deeper than it appeared. The duke had had dealings with the Commonwealth men before the Restoration. His stewards were men of that party, and his lenience after the Farnley Wood Plot was often remarked. Spies set on his track gave damaging evidence against him, which was supplemented by the testimony of Braithwaite. Among other indiscretions he had employed Heydon to cast the King's horoscope, an offense still punishable with death. It is not necessary to believe that informers had been employed by Southampton and Buckhurst.

⁸² *Cal. St. P. Dom.*, 1666, pp. 321-322, 330, 349; Pepys, December 19.

⁸³ *Cal. St. P. Dom.*, 1666, p. 427.

⁸⁴ *Id.*, 1666-1667, pp. 512, 533, 552-553, 560; *id.*, 1666, pp. 449, 460, 463, 530-531, 537, 555; *id.*, 1667, pp. 26, 37, 44, 71; *Hist. MSS. Comm. Reports*, VII. 12, 45. Cf. also, for general and favorable account, Lady Burghclere, *George Villiers*, pp. 176-177.

—incredible combination—to concoct a case against him, nor to lay much stress on the Heydon incident to believe that Buckingham, among other questionable activities, continued his connection not only with Nonconformists in general, but with some members of its extreme wing. Nor is it surprising that a Council, aware of this and fearful of its results in this critical situation, took steps to protect itself. It is doubtless true also that personal rivalry played its part.⁸⁵

Concurrently with the Buckingham incident the Council, relying on its diplomacy and its guard-ships, had decided not to equip a fleet in this spring of 1667. But hardly had the negotiations at Breda begun when the Dutch fleet under de Ruyter, carrying 4000 troops under Colonel Doleman, put to sea. On June 10 it was in the Thames. The fort at Sheerness and the ships at Chatham were destroyed and London itself threatened. After three days of terror they stood out to sea again and harassed the coasts. The Council meanwhile called out train-bands and militia, ordered local authorities to maintain the peace, began a levy of 10,000 foot and 2500 horse, and summoned Parliament. Above all it made every effort to get money. The Chancellor was asked to get it from the lawyers, the Archbishop of Canterbury from the clergy, the lord lieutenants from any one who had it. The very militia then being embodied were appealed to. The Dutch did not leave without a blow. On July 3, with 1200 men under Doleman, they made a vigorous attack on Landguard Fort opposite Harwich. Other attempts were made on Plymouth, Portsmouth and Torbay. In every place they were beaten off. On July 26 peace was signed at Breda. Its terms reflected the results of the raid, and justified De Witt's sagacity in organizing it. But "the drooping brethren who pricked up their ears" at the Dutch attack as well as those who "followed the noble Doleman" fulfilled Bampfield's prophecy that they would come home "like the king of France and his forty thousand men". That they had some hopes of internal disturbances there is much reason to believe. Their instructions noted that the officers of the fleet were to approach the people of Sheppey with offers of free worship, and to conciliate such as were discontented with the English government. Had the negotiations failed, had the attack on Landguard succeeded, the story might have been differ-

⁸⁵ Pepys, March 3, 1667; *Hist. MSS. Comm. Reports*, VII. 12, 45; *Cal. St. P. Dom.*, 1666-1667, pp. 44, 71; *id.*, 1666, p. 511; *cf.* also *Carte MSS.*, fol. 35, p. 302, quoted by Lady Burghclere, p. 71; Clarendon, *Life, Cont.*, par. 1119 ff. See also *Cal. St. P. Dom.*, 1667, pp. 30-31, and warrants, *id.*, 1666, p. 537, and offer to testify, p. 587.

ent.⁸⁶ As it was the effect on politics was profound. Its first result was the brief and agitated meeting of Parliament on July 25.⁸⁷ Its second was the acceleration of the fall of Clarendon, who was deprived of the great seal on August 30.⁸⁸ Before that came, however, a desperate and successful attempt to rescue the old conspirator, Mason, who was being taken from the Tower to York Castle with the spy Leving, was made at Darrington in Yorkshire by the desperadoes, Blood, Lockyer and Butler. Leving escaped their attempt to kill him and was carried to York. There he was found a little later dead in his cell, poisoned, it was said, by his enemies.⁸⁹

With these events we come again to the Duke of Buckingham who was in some measure concerned in both. He had surrendered on June 27 and was sent to the Tower, whence he wrote a submissive letter to the King. Three days later he was examined by a committee of the Council. The case against him fell flat. The chief witnesses and the informers, Middleton and Grice, had mysteriously and providentially died, the two latter not without suspicion of poison. Only Leving remained and he was out of the way by August 5. The duke therefore met the charges against him with jaunty contempt. He was remanded to the Tower but powerful influences were at work in his behalf and he was released on July 14, in time to take an active part in the Chancellor's downfall.⁹⁰

With that a new alignment of ministerial forces was begun, whose basis was Nonconformity. That party had long been recovering its position in the boroughs, in the Council, and in royal favor. Its leaders promised a cessation of persecution and corruption to a nation weary of both. In the new arrangement there was but one man in England with the peculiar qualifications for heading an

⁸⁶ Account of Dutch attack largely from Hague Rijksarchief, Admiraliteit, 1038, 1896, XCV. 53, fol. 80 ff. Cf. also Clarendon, *Life, Cont.*, par. 1025, 1089 ff.; *Cal. St. P. Dom.*, 1666-1667, pp. 73, 130, also June 1-10 *passim*, pp. 189, 200-291 *passim*; *Hist. MSS. Comm. Reports*, XII. 5, pp. 7, 9, 12, 49; *id.*, *Var.*, II. 6, 12, 26, 124-125, 381; *id.*, XIV. 8, p. 368; Pepys, July 3, 1667, and elsewhere June; *Secret Hist.*, II. 302 ff.; also in connection with attack on Landguard, cf. petition from garrison, May 14, 1663 (*Hist. MSS. Comm. Reports*, XV. 2, p. 301), for pay; also examinations in Parliament later, *Grey's Debates*, *passim*.

⁸⁷ *Parl. Hist.*, IV. 363-366, 437. Indignation even in the King's presence, *Cal. St. P. Dom.*, 1666-1667, p. 309.

⁸⁸ *Ibid.*, July-September, *passim*; Clarendon, *Life, Cont.*, par. 1134-1147.

⁸⁹ *Cal. St. P. Dom.*, 1667, pp. 310, 326, 331, 360, 427; *Hist. MSS. Comm. Reports*, XII. 7, p. 51.

⁹⁰ *Cal. St. P. Dom.*, 1667, pp. 179-294 *passim*; Foxcroft, *Halifax*, I. 51; Burghclere, *Villiers*, pp. 179 ff.; Clarendon, *Life, Cont.*, par. 1130 ff.; *Hist. MSS. Comm. Reports*, XIV. 9, pp. 367-368.

alliance of court and dissent. The persistent foe of Clarendon, the champion of toleration, the master of the royal revels, Buckingham had allies everywhere, courtiers, Presbyterians and republicans. Two months after his release his dignities had been restored to him and he was on the road to power. By December he was recognized as the chief minister of state. This was not due wholly to Charles's love for the duke nor to the influence of the latter's family and friends. Men often commended themselves to the King by sharing his pleasures, but, whatever he was, the King was no fool, he did not choose his ministers on that ground. Buckingham came to the head of affairs because he could bring a party to support the King. With him four others, none of them Anglicans, joined to form the so-called Cabal. The change was unaccompanied by a general election, and was obscured by the very means taken to effect it. But it none the less expressed a national crisis, and it is not the only time that a seeming court intrigue masks a great political change. It indicated that the Nonconformists were to have their turn.⁹¹ The ministerial revolution was accompanied by corresponding events in Commons and Council. It was reported in September that a bill was contemplated repealing the Act of Uniformity and modifying episcopacy. Suggestions were offered for Council action against Catholics, and a declaration "leaving some little dawn of hope open to dissenting Protestants, which the King would be glad to find".⁹² Council orders against the Catholics were in fact issued September 11, and many in the army resigned or were dismissed in consequence.⁹³ Laws against Dissenters were meanwhile enforced laxly or not at all. Steps were taken to reverse the Clarendonian policy of political imprisonment, and an order issued for a return of all prisoners in England, their names, the date of the warrant, and the cause of commitment.⁹⁴ Many, including the old Commonwealth men, Major Wildman, and Colonels Salmon, Creed and Bremen were released.⁹⁵ These measures were interrupted by the proceedings relative to the impeachment, banishing and disenabling

⁹¹ *Cal. St. P. Dom.*, 1668, pp. 258-589; *id.*, 1664-1665, p. 150; *id.*, 1667-1668, pp. 55, 145; *id.*, 1668-1669, pp. 420-421, 466, 616; Pepys, December 21, 1667; Calamy, *Nonconformist Memorials*, ed. Palmer, pp. 57 ff.; Clarendon, *Life, Cont., passim*; Lady Burghclere, as above; Foxcroft, *Halifax*, I. 55, 64; Rapin, III. 885; also *Cal. St. P. Dom.*, 1667, p. 89; *id.*, 1667-1668, p. 259.

⁹² *Id.*, 1667, pp. 437, 447.

⁹³ *Ibid.*, p. 457; *Hist. MSS. Comm. Reports*, XII. 7, p. 53 (the 10th); *id.*, *Var.*, II. 382 (order not signed by Duke of York); *cf.* also *Cal. St. P. Dom.*, 1667-1668, pp. 54, 110.

⁹⁴ *Id.*, 1667, pp. 454 ff.; *id.*, 1667-1668, *Introd.*, XXII. 165-266 *passim*; *Hist. MSS. Comm. Reports*, XII. 7, pp. 54, 58; *id.*, *Var.*, I. 149-150.

⁹⁵ Macpherson, *James II.*, *Docts.*; Pepys, December 7, 1667.

of Clarendon in Parliament between October and December. When the Houses met after the Christmas recess the late Chancellor was a fugitive and his opponents were directing affairs.⁹⁶

In their hands financial reform, a new foreign policy and religious toleration replaced the Clarendonian system. The formation of the Triple Alliance in January, 1668, to check the aggression of Louis XIV. and the promise of an early reorganization of the finances satisfied the Anglicans who remained in control of the Commons. But they were not pleased with the striking change in religious affairs which accompanied these measures. Persecution languished and informers starved, justices declared they no longer were encouraged to repress dissent.⁹⁷ Conventicles multiplied and silenced ministers returned to public preaching. In some cases the Nonconformists even retaliated on Conformist clergy.⁹⁸ But this was exceptional; in the main a great calm succeeded the storms of preceding years. Nor was this wholly due to the neglect of the informers or the plotters. If new informers were not encouraged the old ones were abundantly rewarded, and such plotters as remained were as diligently pursued as ever.⁹⁹ But the policy now adopted destroyed the basis of conspiracy, and the revolutionaries were driven to other employment. Some remained in Dutch service, some, like Doleman, sought employment further afield. The refugees remained in Switzerland, in France and in the Low Countries undisturbed. Of the English revolutionaries many had by this time reaped the reward of their actions; the informers had been paid or had died. Some of the desperadoes like Blood and his son, Mason, Lockyer and Butler were still at large. A few of these like Mason returned to pursuits of peace. Some, like Paul Hobson, had been deported to the colonies. Others were driven to the trade of highwaymen. And if it had not been for three circumstances in the ensuing six years the history of the conspirators like their attempts to overthrow the government might well end here.

The first of these was the result of the administration policy on the Parliamentary situation. There it found little favor. The session which began on February 10 was filled with bitter reflections on court, ministers and even the King himself, with the investigation

⁹⁶ *Secret Hist.*, II. 336; *Clarendon, Life, Cont.*, II. par. 443; *Parl. Hist.*, IV. 336 ff.; *Journals H. L.*, XII. 141 ff.; *Cal. St. P. Dom.*, 1667-1668, p. 32.

⁹⁷ Cf. especially Calamy's *Nonconformist Memorials*, *passim*. For Scotland, *Secret Hist.*, I. 234 ff. Extraordinary decrease of information in the *Cal. St. P. Dom.*

⁹⁸ *Cal. St. P. Dom.*, 1667-1668, pp. 68, 69, 94, 165 ff., 404; *Hist. MSS. Comm. Reports, Var.*, I. 151-152.

⁹⁹ *Cal. St. P. Dom.*, 1668, p. 461; *id.*, 1670, p. 174, etc.

of the miscarriages of the war, and with the re-enactment of the Conventicle Act now about to expire. This now passed both Houses and only the King's refusal to sign it prevented its becoming law.¹⁰⁰ On August 11 the old act expired and practical toleration ensued.¹⁰¹ It was accompanied by other measures emphasizing the new course. Sir James Turner was dismissed on the ground that his harshness had caused the Pentland Rising.¹⁰² Hundreds of prisoners were discharged. As Penn had prophesied the King connived at meetings and lectures.¹⁰³ Buckingham was said to consult Wildman daily, and it was even proposed to make him a member of the new commission of accounts.¹⁰⁴ So great was the revival of conventicles and the activity of Dissenters in politics¹⁰⁵ that the Council issued a proclamation against them as a prelude to the new session of Parliament which began in October.¹⁰⁶ It repeated the career of its predecessor, but with more success, for Sir George Carteret, treasurer of the navy, was impeached. Its attempt to re-enact the Conventicle Act, however, was again foiled by the King's refusal to sign the bill, and it was not until the next session which began in the following February that the Houses were able to force this measure on the King.¹⁰⁷

With its signature Nonconformist disturbances broke out at once. Its enforcement began in May, George Fox being one of the first victims. The struggle commenced in London, each side recognizing that if conventicles could be suppressed there they would be elsewhere. The contest was obstinate and bitter in the extreme. Officers and soldiers engaged in putting down the meetings were obstructed and threatened, informers and constables overawed. The little conventicles were easily disposed of, but three or four thousand persons defended the doors of the three great Presbyterian meeting-houses, and it was a serious question as to whether the

¹⁰⁰ *Parl. Hist.*; *Hist. MSS. Comm. Reports*, XIII. 2, p. 147; Pepys, April 30, 1668; *Cal. St. P. Dom.*, 1670, p. 13.

¹⁰¹ As above, and *id.*, 1668, p. 268.

¹⁰² *Ibid.*, pp. 270, 276; "Bellenden" (*i. e.*, Sir William Ballantyne) was also dismissed, *cf.* Willcock, *A Scots Earl*, p. 158.

¹⁰³ *Cal. St. P. Dom.*, 1667, pp. 94, 145; *Hist. MSS. Comm. Reports*, XII. 7, pp. 58, 68; Pepys, May 3, August 11, 1668.

¹⁰⁴ *Ibid.*, November 4, 1668.

¹⁰⁵ *Cal. St. P. Dom.*, 1668, pp. 320-419 *passim*; *Hist. MSS. Comm. Reports*, XII. 7, p. 63.

¹⁰⁶ *Cal. St. P. Dom.*, 1668, p. 449; *cf.* also *ibid.*, pp. 420-616 *passim*, and *id.*, 1670, pp. 17, 25, etc. For disturbances, see also *id.*, 1667-1668, pp. 270, 282, 437, 454; Pepys, March 25, July 18, 1668.

¹⁰⁷ *Parl. Hist.*, IV. 441 ff.

guards should be called out.¹⁰⁸ The situation was difficult. If the law was to be enforced trouble was sure to follow, if not the law would be brought into contempt. Many men agreed with Secretary Trevor that the matter was "very unhappily and unnecessarily brought to trial".¹⁰⁹ Many arrests were made. Major-General Butler and several Fifth Monarchy men were seized and old officers and soldiers ordered to leave the City for six months.¹¹⁰ Guards were set, two aldermen sent to Newgate, spies employed and the artillery investigated for fanatics.¹¹¹ On June 11 two companies of soldiers took possession of the meeting-houses, and were later relieved by four more with orders to pull down the seats and pulpits, in which work of disfurnishing the eminent talents of the King's surveyor, Mr. Christopher Wren, were presently required.¹¹² As the local authorities joined in the resistance the situation increased in gravity. Robinson reported that he had broken up two meetings and got two preachers but neither the constables, headborough, nor justices of the Tower Hamlets would come near him.¹¹³ Nor did persecution stop the meetings. When the life guards and foot secured the meeting-houses the people assembled in the streets, defended their preachers from the officers, aided them to escape and fought with the troops.¹¹⁴ Similar scenes were enacted in almost every town in England. Every obstacle was put in the way of the authorities who attempted to enforce the act. Goods distrained for conventicle fines found no purchasers, counter charges were brought against those engaged in suppressing the meetings, and bitter hostility was roused on every hand.¹¹⁵ By September the increase of seditious literature led to the reappointment of L'Estrange as licenser.¹¹⁶ And when, in that month the City refused the King a loan of 60,000 pounds the matter took on a new aspect.¹¹⁷

It has indeed been questioned whether this whole episode was not an administration device to prove to the Anglicans the difficulty of enforcing their policy, and to the Nonconformists that they must look to the crown alone for relief.¹¹⁸ At all events the resistance

¹⁰⁸ *Cal. St. P. Dom.*, 1670, pp. 208 ff.

¹⁰⁹ *Ibid.*, p. 233.

¹¹⁰ *Ibid.*, pp. 233-317 *passim*.

¹¹¹ *Ibid.*, pp. 243, 267, 276; *Hist. MSS. Comm. Reports*, XII. 7, p. 71.

¹¹² *Cal. St. P. Dom.*, 1670, pp. 243, 267, 276.

¹¹³ *Ibid.*, p. 270.

¹¹⁴ *Ibid.*, pp. 239-240, 343-344, 424. Cf. also *Nonconformist Memorials*, I. 239, "Vincent", etc.

¹¹⁵ *Cal. St. P. Dom.*, 1670, pp. 27-519 *passim*.

¹¹⁶ *Ibid.*, pp. 368-369, also pp. 201-521 *passim*, and especially p. 502; *id.*, 1672, pp. 20-21, 46-47.

¹¹⁷ *Id.*, 1670, p. 502.

¹¹⁸ Davies, *Life of Baxter*, p. 340; *Cal. St. P. Dom.*, 1670, p. 255.

of the Dissenters was in so far successful that enforcement of the act was gradually relaxed toward the end of 1670.¹¹⁹ For this, however, events outside the domestic situation were also responsible. In the month that the disturbances began Charles had signed the secret treaty of Dover, and arranged for a joint attack of France and England on Holland, a design presently incorporated in an open treaty negotiated by Buckingham who was kept in ignorance of the original with its secret clause providing for French troops and subsidy in aid of Charles when he declared himself a Catholic.

Such was the first series of circumstances which disturbed the peace of the Cabal. The second was a sequence of events which began in the winter of 1670 and which seemed to bear little relation to politics. On December 6 the Duke of Ormonde returning from a City dinner in honor of the Prince of Orange was set upon by highwaymen and saved from their extraordinary project of hanging him at Tyburn only by the opportune arrival of his household.¹²⁰ This with the attack of the Duke of Monmouth's bravos on Sir John Coventry occupied much of Parliament's time after the Christmas recess of 1670. They produced three results, the passage of a bill against malicious maiming and wounding, the issue of a proclamation against Thomas Hunt, Richard Halliwell and Thomas Allen for the attack on Ormonde, and Lord Ossory's warning to Buckingham in the King's presence that if another attempt was made on his father's life he would kill Buckingham "though he stood behind the King's chair". Even these exciting events were overshadowed by the extraordinary attempt made on May 5 to carry off the royal regalia from the Tower by means of a remarkably shrewd plot only foiled by accident. Its designers, a pseudo-clergyman, his nephew and a friend were seized. To the surprise of all the clergyman was found to be the old outlaw Blood, the nephew his son, the friend an Anabaptist silk-dyer, Parret.¹²¹ Blood, refusing to answer any inquiries save before the King, was procured that privilege through the influence of Buckingham. There he admitted his complicity in a long series of exploits from the Dublin Plot of 1663 to the attempt on Ormonde. It was not unnaturally supposed that he would be hanged, but, to the astonishment of all, he and his son were released

¹¹⁹ Burnet says simply that the King *ordered it*. Trevor (*Cal. St. P. Dom.*, 1670, p. 233) "feared for the consequences to the government if a tumult was begun and blood drawn". When the City refused the loan, the money was advanced by certain Dissenters. This may account for the relaxation.

¹²⁰ Carte, *Ormonde*, VII. 103-104, 109; *Journals H. L.*, January-March, 1671.

¹²¹ *Somers Tracts*, VIII. 439 ff.; *Dict. Nat. Biog.*, "Blood". The dyer's name is also found Perrot.

and pardoned early in August, and Parret was freed a little later. In September a pardon was issued to another of Blood's desperado associates, Alexander, and the climax was reached when the King conferred on Blood a pension of £500 a year in Irish lands besides restoring his other property which had been forfeited for treason in 1663.¹²²

It is no wonder that the case of "Colonel" Blood puzzled men then and since. The usual explanation given for his treatment is the impression he made on the King by his wit and courage, and the threat that his death would be avenged by the band to which he belonged. This is doubtless true. But other circumstances indicate this is not the whole truth. On June 22 while he was still in prison warrants were issued to search various houses in London for Richard Cromwell.¹²³ A week later three of Cromwell's captains were taken on Blood's information.¹²⁴ On July 2 a number of desperate men were arrested and alarm given of a projected attempt on the Tower. Twenty-six of these men were sent to Newgate, and four to the Tower.¹²⁵ On July 18 twenty-seven of these desperadoes were tried and convicted.¹²⁶ The most important result was to come. On September 21 after Blood was duly pardoned and rewarded there began a long series of interviews between him and Secretary Williamson concerning the status, the allies and the wishes of the Nonconformists, especially those in and about London.¹²⁷

Blood had in short "come in". It was peculiarly fortunate for him that his crime and capture had come at a peculiarly opportune moment else with all his audacity he could not well have escaped death. The administration in fact was in need of just such a man, and the outlaw was much more useful to them alive than dead. The ministry, divided between a Catholic and a Protestant section, was bent on a Dutch war which each party urged for its own ends. But it was confronted by two great questions, the Dissenters and the debts. A foreign war in the face of these was not to be thought of. "If it is bad now", Williamson wrote of the late disturbances over the Conventicle Act, "what would it be at a critical time?"¹²⁸ And the combined invasion and insurrection at which he hinted was even more dreaded now than formerly. The decline

¹²² *Cal. St. P. Dom.*, August-September, 1671 *passim*.

¹²³ *Ibid.*, p. 335.

¹²⁴ *Hist. MSS. Comm. Reports, Fleming*, II. 19; *id.*, XII. 5, p. 19.

¹²⁵ *Cal. St. P. Dom.*, 1671, p. 356.

¹²⁶ *Ibid.*, pp. 385-386.

¹²⁷ *Ibid.*, pp. 496-497, 553-554, 556, 560-563, 568-569, 581; *id.*, 1671-1672, pp. 1, 8-9, 14, 27-28, 63.

¹²⁸ *Ibid.*, pp. 27-28.

of blind loyalty even among the royalists, the growing suspicions of the King's French and Catholic policy, and, not least, the death of the Duke of Albemarle, had weakened the position of the crown. Some guarantees of peace at home must therefore be had before war was begun abroad. Negotiations were consequently entered upon during these closing months of 1671 between the court and the Nonconformists, and throughout the ensuing winter representatives of the court, Williamson, Arlington, the King himself, consulted with leading Dissenters, or negotiated through men like Blood and Butler and Ennys, to find a basis of reconciliation.¹²⁹ In the last days of 1671 a decision was reached in regard to both money and Nonconformity and was immediately put into execution. On January 2, 1672, orders were issued to pay no more money out of the Exchequer.¹³⁰ By this drastic measure the administration secured enough cash to carry out its warlike plans, though at the cost of panic, bankruptcy and loss of credit in the City. On that same day the second part of the design was set in motion. Pardons were issued to Thomas Blood, jr., Robert Parret, Ralph Alexander, Nicholas Lockyer, John Barnes and John Hicks. On the next day a pass to England was issued to Colonel John Desborough. Three weeks later a similar pass was issued to Colonel Kelsey to go to Holland for his wife and goods, and Colonel Berry was released from Scarborough Castle. It was reported on February 1 that Burton, Kelsey and others were on their way to Holland to move their families and possessions back to England. That same day pardons were issued to Kelsey, Captain Nicholas and John Sweetman, and by the middle of March Major Scott, now in English service, was sent to Holland for intelligence.¹³¹ "Certainly", wrote Sir F. Burgoyne, "some designs must be on foot that such are received."¹³² Those designs were soon apparent.¹³³

With most of the desperadoes and exiles won over or put out of the way, with sufficient ready money to begin the war, it remained only to secure the main body of Nonconformists. As a result of the long secret conferences in the winter of 1671-1672 that matter was now taking definite shape. It tended more and more to a licensing system. On February 19 Butler summed up the situation. Time must be given to secure licenses, he said, and where no public

¹²⁹ As above.

¹³⁰ Some exceptions, *Cal. St. P. Dom.*, 1672, p. 89.

¹³¹ *Id.*, 1671-1672, pp. 65, 98, 116.

¹³² *Hist. MSS. Comm. Reports*, VII. 334.

¹³³ Cf. also Ludlow, II. 393; *Cal. St. P. Dom.*, 1671-1672, p. 13, etc.; *Hist. MSS. Comm. Reports*, VI. 368; VII. 464.

meeting-house existed a private house should be allowed until a public place could be had. Licenses should be issued to persons as well as places, and for preaching in private families on thanksgivings and like occasions. Quakers and Fifth Monarchy men of wild principles should be connived at, and license-getting made easy. Thus all depended on the King. And if, he added, speedy justice could be had in lawsuits, it would be beyond the power of "the devil and bad men" to harm the sovereign.¹⁸⁴ Such were the bases of the plan agreed upon. On March 15, 1672, appeared the second Declaration of Indulgence. By its provisions the Church of England was to remain unchanged, but penal laws against Nonconformists and Recusants were to be suspended. Places were to be licensed for meeting of Dissenters and Recusants, except Papists, and seditious preaching and opposition to the Church was to be suppressed.¹⁸⁵ At the same time the Council was reorganized by the addition of new men, Halifax, Essex, Fauconberg, Bridgwater, Worcester, Henry Coventry and presently Williamson and Osborne. Few of its original members remained and it became strongly Protestant. With such preparations and the French subsidy the administration felt ready for war which was begun two days before the issue of the Declaration by a treacherous attack on the Dutch Smyrna fleet in the Channel, and declared two days after the Indulgence appeared.

So far as internal disturbance was concerned the ministerial plans were justified by the event. The beginning of the second Dutch war differed from that of the first in no respect more than this, there were no accompanying plots, no fear of fire in the rear. As in the former war the English found difficulty in commanding the services of their own seamen, whose employment by the Dutch was not wholly prevented. Steps were taken to seize those sailors who had fled inland or oversea to escape impressment, and proclamations were issued promising pardon and reward to all who had fled from the King's displeasure. These were sent to Holland and the Dutch counter-proclamations seized. In this, in securing information from Holland, and obtaining news of the war, the services of men like Blood were largely employed.¹⁸⁶ But his energies like

¹⁸⁴ *Cal. St. P. Dom.*, 1671, pp. 203, 217; *Hist. MSS. Comm. Reports, Var.*, II. 383.

¹⁸⁵ *Cal. St. P. Dom.*, 1671-1672, pp. 116, 204, 226, 232, 243, and March 29, 1672; *Hist. MSS. Comm. Reports*, XII. 7, pp. 90, 93-94; cf. Bate, *Declaration of Indulgence of 1672*, published too recently to be used for this article.

¹⁸⁶ *Cal. St. P. Dom.*, 1671-1672, pp. 295-296, 343, 372, 589; *id.*, 1672, pp. 73, 76, 102, 105, 198, 595, etc. For seamen, cf. *id.*, 1671-1672, pp. 241-247, 277, and all through March, 1672; also *Hist. MSS. Comm. Reports*, XIII. 4, p. 468; XIV. 2, p. 326.

those of many others were meanwhile taken up with the licensing of conventicles which rapidly assumed surprising proportions.¹³⁷ It was said that Churchmen would attack the Declaration in the courts, but licensing was not disturbed as the Anglicans decided to wait for a meeting of Parliament when their cause was certain to be in friendly hands. That pleasure was denied them for the time. Unwilling to face the Houses the King prorogued the session called for April 1 to October, then to February, 1673.¹³⁸ To emphasize the new policy honors were conferred upon the ministers, and the granting of pardons went on rapidly. The extent of such clemency may be inferred from the release of 480 Quakers in May alone.

The war was meanwhile well under way. The French had poured their troops across the Dutch frontiers, and the English had sent their fleet to sea. On May 28 they met their enemies in the fierce but indecisive encounter of Southwold Bay. By land the French were more successful, and at the end of June it seemed that Holland was doomed. But the dykes were cut and Amsterdam saved. In July William of Orange became Stadholder of Holland and Zeeland, and, after the murder of the Pensionary De Witt in August, he took entire charge of Dutch affairs. To many Englishmen this reviving power of Holland was grateful. Even the Council was divided on the policy of pursuing the war, and opposition to what seemed the French and Catholic designs of the court spread throughout the country despite the efforts of the administration. It became evident that the ministry would be attacked in Parliament on its foreign as well as its religious and financial policy, and efforts were made to avert the blow. An embassy was sent to negotiate with William, a bold attempt was made to seize thirty-six seats which had become vacant, and the day before the Houses met the issue of licenses was suspended. It is interesting to observe that although this policy had been in existence less than eleven months nearly 1500 licenses had been issued.¹³⁹

Ministerial apprehensions of Parliament were more than justified. The Commons met the bold defense of the stop of the exchequer and the declaration made by the King and Shaftesbury by forcing the withdrawal of the thirty-six members, and sending an address to the King declaring that penal statutes in matters ecclesiastical could not be suspended save by act of Parliament. At the same time a bill for the ease of Protestant dissenters was intro-

¹³⁷ Cf. *Cal. St. P. Dom.*, 1673, *Intro.*

¹³⁸ *Parl. Hist.*, IV. 561-585; *Cal. St. P. Dom.*, 1672, p. 396.

¹³⁹ *Cal. St. P. Dom.*, May and June, 1672, *passim*, especially pp. 160-161, 319-320, June 12, order against coffee-houses, and false news, also pp. 226-227. For embassy, Foxcroft, *Halifax*.

duced. This allowed meetings to be held in places appointed by the act and in others licensed by the King under the act. They defeated a proposal to exclude Protestant dissenters from the House, and finally passed the great Test Act which made it impossible for Catholics to hold either civil or military office.¹⁴⁰ With that act and the events of the ensuing summer the long struggle here recorded reached a climax. The fear of dissent was replaced by the fear of Catholicism. The royal attempt to unite Catholic and Protestant dissent to balance against the Anglicans and secure Catholic toleration collapsed. The Duke of York and Clifford were driven from the Council which thenceforth became wholly Protestant. Though the bill for the ease of Protestant dissenters failed of enactment, Nonconformists were no longer persecuted, and gained a sort of toleration on sufferance. Justices were reprovved for enforcing the laws against them, and the King in Council ordered his portion of the conventicle fines to be remitted. None the less they were still subjected to annoyance by their enemies, and disaffection in the extreme wing of the party especially against anything that savored of Catholicism was not wholly destroyed.¹⁴¹

The war meanwhile went on but both nations were weary of it and steps were taken toward the end of 1673 to make peace. They were accompanied, perhaps accelerated, by an obscure intrigue with which this story may fitly close. A certain du Moulin, once Arlington's secretary, now holding a like post under the Prince of Orange, began correspondence with certain members of the English ministry, once the Protestant, now the peace party, with whom he had previous acquaintance. They were determined to force the King to break his connection with France and make peace with Holland. They even contemplated the possibility of an appearance of the Dutch fleet in the Thames and a concurrent rising in England if the King proved obdurate. The court however learned of the negotiation and seized one of du Moulin's agents, William, Lord Howard of Escrick, already noted in connection with the disaffected party. He was sent to the Tower and there confessed. Among others he implicated Shaftesbury. There was no other direct evidence against him, however, and all Charles's efforts failed to win from the prince any information regarding his allies, friends and correspondents in England.¹⁴² But the incident is none the less important. With it

¹⁴⁰ *Parl. Hist.*, IV. 501-585.

¹⁴¹ *Cal. St. P. Dom.*, 1672, pp. 309, 372; *id.*, 1673, p. 369; *cf.* also letter of Sir T. Player, *id.*, 1671, p. 368; *Hist. MSS. Comm. Reports*, XII. 7, p. 101.

¹⁴² *Cal. St. P. Dom.*, 1672, p. 302; *Dict. Nat. Biog.*, "William Howard"; Temple, *Memoirs* (1757), II. 286-287, 294, 334, 336-337; Burnet, book III., 1674 (2 ref.); D'Avaux, *Memoirs*, I. 8. Burnet knew Temple's account, but adds details of his own. *Cf.* also Lingard (*History of England*, IX. 254), who accepts,

there emerges that alliance between Shaftesbury, the Nonconformists, the disaffected, and William of Orange which was of such importance later. Shaftesbury presently gave this point by arming his household ostensibly against the Papists, and later seeking refuge in the City with an Anabaptist preacher. Thence he was ordered to his estates in the country by the King, and shortly before the session of 1674 deprived of his offices.¹⁴³ When that session began he was the leader of the opposition, and with this a new chapter in affairs began.

The party which had found a spokesman in Bristol and a minister in Buckingham, now, driven from power, secured a leader in Shaftesbury, who united against the Anglican minister, Danby, the elements of national discontent, the Parliamentary opposition, and Protestant nonconformity. In this larger body, the Country Party, later the Whigs, the group we have here discussed was, for the most part, absorbed. The issues for which they had striven were modified in the presence of greater interests. The fate of Shaftesbury, his followers and his successors, belongs to another chapter of English history. But in that struggle some of the men we have described played a part. Lord Howard of Escrick again appeared in the ignoble character of informer, contributing to the fate of his kinsman, Strafford, as well as to that of Algernon Sidney, who, with Lord Russell, found an end of all his strivings on the scaffold.¹⁴⁴ Others played less conspicuous though perhaps not less important parts in the later tragedies. Blood, indeed, was dead before the agitation over the Exclusion Bill and the ensuing disturbances, which would have given his peculiar talents such an excellent field, took place. But when the Earl of Argyle fled from Scotland in 1681, in the first stage of his wanderings that ended in his rebellion, he found refuge first among the conventiclers of northern England and was guided thence to London by Blood's relative and companion in arms and conspiracies, Captain Lockyer.¹⁴⁵ The Thomas Walcott, against whom Fitzgerald gave evidence in 1670-1671, was executed for a share in the Rye House Plot. When Monmouth led his ill-fated forces in his last throw for the crown it was the "turbulent

and Christie (*Life of Shaftesbury*, II. 197-198, and note), who rejects, the story. The connection between Shaftesbury and this party, like that of Buckingham, is, and must be, obscure. But it seems to me wholly probable. It is difficult to agree with those who see in it anything inconsistent with Shaftesbury's character or career. Restoration standards, circumstances and methods were not like our own, and it serves no good purpose to Bowdlerize them.

¹⁴³ Macpherson, *State Papers*, I. 74; Christie, *Shaftesbury*, II. 197-198; cf. also *Cal. St. P. Dom.*, 1671, pp. 562-563.

¹⁴⁴ *Dict. Nat. Biog.*

¹⁴⁵ Willcock, *A Scots Earl*, p. 293.

town of Taunton" that gave them the warmest reception and paid the heaviest price for its devotion to that hopeless cause.¹⁴⁶ In all of those events, in Argyle's rebellion, among the men who followed Shaftesbury to Oxford, in the plots against Charles, the Monmouth rebellion and the invasion of William, were found survivors of these earlier activities. When Titus Oates and Israel Tonge sought material for their monstrous fabrication of the Popish Plot it was in the stories of these early revolutionary movements they found no small part of the detail which lent verisimilitude to their information. Conceived in the same spirit, and in not dissimilar terms they raised the Popish Terror on the same foundations that had previously supported the Nonconformist Terror. Shaftesbury and his followers thus found ready to their hands the same weapon so long and so effectively used against them, and sensible of its value from their own experience, they seized it eagerly, wielding it against their opponents as vigorously and successfully as it had once been used against them. Even in the plots that brought Essex to suicide and Sidney and Russell to the scaffold we find the persistent story of the Council of Six, meeting at the Green Ribbon Club in the King's Head Tavern,¹⁴⁷ a mystic number at least as old in the history of conspiracy as Tonge and his Council of Six which met at the Wheat-sheaf twenty years before. Thus, though many of the old revolutionaries had passed away before those stirring times, those who remained acted generally in accordance with their older character. Above all, the party and tradition on which they depended formed not the least powerful element in those great agitations. Such a study as this must, of necessity, be more or less obscure and unsatisfactory. But without some account of an element whose aims changed in expression but not in strength or direction between the beginning and the end of the Restoration period, no picture of that time can be complete. Above all, such a study may help to restore that sense of continuity between revolution and revolution which has so long been lacking, to the great detriment of a proper understanding of that period.¹⁴⁸

W. C. ABBOTT.

¹⁴⁶ Macaulay, *History of England*, I. 510, note, 520; cf. also Fea, *King Monmouth*.

¹⁴⁷ Pollock, *Popish Plot*, pp. 237, 334.

¹⁴⁸ It has not been possible to insert in this article the great amount of material on the subject existing in manuscript in the Journals of the Privy Council in the Public Record Office in London. The information there given would add much to the details of this account but would hardly affect the general conclusions. It is hoped that such parts of this as are not covered here may be included in a later study. Owing to an oversight references to the Dublin Plot from the *Calendars of State Papers, Ireland*, were unfortunately omitted in the first part of this study which appeared in this REVIEW for April. Such references will be found under the appropriate dates in the volume for 1663-1665, pp. 100-265 *passim*.

CHATHAM, 1708-1908¹

CHATHAM belongs not only to the English race, but to the English race as a whole—to the English race in the length and breadth of its dispersion throughout the world. Other statesmen have been more judicious, more temperate, more simple-minded. It is the glory of Chatham that he possessed an eye which swept the full horizon, a greatness of soul which raised him above insular prejudice and pride. Let us not deify the Anglo-Saxon breed. But such as it is, and in so far as it cherishes a certain community of sentiment, Chatham's deeds and aspirations are an indivisible part of its inheritance. The farther its activities extend the higher will mount his reputation, since the three things for which he strove were the freedom of the English, their greatness and their unity.

It is true that one can find little edification in the methods by which Pitt fought for promotion to the cabinet. Nor are his speeches free from rants that suggest the more turgid outbursts of Marlowe. By act and word he showed himself devoid of humor. He does not escape the sarcasm which Persius flings at those who love popular applause—*pulchrum est digito monstrari*. He could adopt an air of insufferable superiority. Histrionic by temperament it was difficult for him not to mingle passions that were simulated with those that were sincere.

But Chatham's failings are of a type which suggests regret rather than reprobation. Indeed modern pathology affords us a better key to his disposition than was possessed by earlier critics. It has been said that "There was never yet philosopher who could endure the toothache patiently", and every day we accept physical infirmity in explanation of an uncertain temper. But when organic disease stretches its victim upon the rack, the spectator can no longer stop short at an indulgent forbearance. His active sympathy is aroused, and the greater the talents which are impaired the deeper will be the pity. Now Sir Andrew Clark has said of Chatham: "Suppressed gout disordered the whole nervous system, and drove him into a state of mental depression, varying with excitement and equivalent to insanity. But there was no specific brain disease."

¹ A paper read before the American Historical Association at Richmond on December 30, 1908.

If Chatham's nerves were subject to constant irritation from the derangements of his body, he was no less unfortunate in another circumstance which affected his public actions. I refer to the fact that the English people did not then choose their own Prime Minister. Hence for Pitt a long and painful ascent to power. The Reverend Francis Thackeray could shut his eyes to any blemish. Less hardy admirers of Chatham cannot but admit that in his dealings with the Pelhams he fell far below his best. To be more explicit, he displayed an eagerness in his quest for office which was equal to that of his competitors. The king disliked him, for though a Whig he was a *frondeur*. There was a further obstacle in that he did not belong to the narrow circle of the Whig oligarchy. Thus at a time when the masses were unable to give him direct, decisive support, he ran his race under a great handicap. I think it cannot be shown that in his quest of power he compromised his principles on any fundamental issue. His worst sins were a willingness to enter mixed and warring coalitions, the employment of factious opposition to enhance his importance, and lack of dignity in asking others for their support. It is sad that only by adopting pushful methods could he break through the cordon of prejudice which opposed him. Essentially, however, he was an idealist. He cared nothing for money, and if he coveted power it was that he might win fame by exalting his country.

After all, the dissection of character into merits and imperfections is an anatomical process. What should interest biographers most is psychic physiology. Now there are those who seem to demand that every great man should be a duplicate of Tennyson's King Arthur. In family life Chatham satisfies even this test, proving himself the "selfless man and stainless gentleman". For the rest he came a little too late to take pattern in youth after Sir Charles Grandison. Perhaps this was not altogether a misfortune.

In any case one must refrain from drawing out the catalogue of qualities. Certain foibles and weaknesses have been mentioned, but not for the sake of ushering in that formal antithesis of vices and virtues which was once the fashion. If Chatham's limitations have been mentioned it is because they are conspicuously present; and furthermore because after the utmost allowance for them has been made, it is still clear that he possessed true loftiness and nobility of soul. To moral endowments above everything else he owed his standing and his power. I do not underrate the capacity which he displayed as an organizer of victory. But during the crisis of the Seven Years' War the inspiration he imparted was of more

service to England than any skill of strategy that he displayed. How much is summed up in the words "No one ever left Pitt's closet without feeling himself a braver man!"

Grounded in robustness of character was Chatham's eloquence, by which Fox was subdued and Murray cowed. Faults of taste his speeches might contain, but they possessed such impact as belong to no other utterances that have been delivered in the House of Commons. It was the rush of the philippic rather than the calm Olympic oratory which Pericles is said to have learned from Anaxagoras. But often in elevation of sentiment, of mood, Chatham's periods reached the up-in-the-clouds strain of the Athenian statesmen as Plutarch has described it—the *μετεωρολογία και μεταρσιλευσία* of genius. His judgments rested on the broadest considerations which the case presented rather than on special or temporary circumstance. He is defining his own openness of outlook when he says: "Oliver Cromwell, who astonished mankind by his intelligence, did not derive it from spies in every cabinet in Europe: he drew it from the Cabinet of his own sagacious mind."

When face to face with an idealist like Chatham we are bound to ask: Whence comes his idealism? From what streams does he quaff? On what spiritual food has his soul been nourished? In this case a partial answer is supplied by Chatham's letters to his nephew with their enthusiastic commendation of Latin literature. Fortunately one need not be a great scholar to derive inspiration from classical antiquity. Keats found in Lemprière's *Dictionary* enough Hellenism to furnish forth his "Ode on a Grecian Urn". Chatham, whose knowledge of Latin was most unscientific, managed somehow to imbibe a sense of hero-worship for the austere patriots of the Roman Republic. And to bring his idealism, his romanticism, into touch with England he added to Livy, Spenser. In the record of his life, I find few facts more significant than his sister's statement that the only thing he knew accurately was the *Faerie Queene*.

To the literary attainments just mentioned, and to his marvellous oratory, must be added Chatham's political creed. Dr. Johnson might call Whiggism the negation of all principle, but with Pitt it was not so. His conception of the state pointed to Aristotle's *πολιτεία*, wherein public affairs are conducted by all for the general benefit. For him liberty postulated the right of the whole people to participate in the decision of national issues. Hence he advocated Parliamentary reform. Hence he was fain to feel that his best title to the tenure of power was that popular approval which

he possessed more fully than any politician of his time. Yet his respect for the royal office was genuine and deep. It became a byword with his enemies that at an audience his great beaked nose could be seen between his legs.

Of course in all this there is no inconsistency. One may be willing to sacrifice his life for the liberty of the subject without thereby impairing his reverence for the crown. According to the Whiggism of Pitt the constitution meant the sovereignty of the English people, the supremacy of the national will. But the national will had sanctioned the Revolution settlement, and so long as the king did not unlawfully enlarge his prerogative he was entitled to that deference which Chatham offered in elaborate genuflection. As for the rights of the Upper Chamber, his position is defined in one terse, unequivocal sentence. "The privileges of the House of Peers, however transcendent, however appropriated to them stand, in fact, upon the broad bottom of the people."

Viewing all issues from the standpoint of the English people, Chatham maintained throughout his career an essential unity of purpose. And this is the link between his Whiggism and his imperialism. Richelieu has left it on record that his two aims were the supremacy of the king and the greatness of the kingdom. Chatham's one aim was the advancement of the English race, which in his mind embraced equally freedom at home and expansion beyond the seas. By universal acceptance England stands in history for popular government and colonies. Now Chatham touched both these great motives of the national development as no other statesman has done. More than any other one man he created the British Empire as it stands to-day, and he achieved this result by appealing to the racial instinct, by touching the national heart. Had he been less instinct with the spirit of devotion to the English people he could not have made himself its leader, and in a sense its prophet. Since Disraeli's day there has grown up an association of ideas between Jingo and Tory. But with Chatham Whiggism and imperialism were but two moods of the same emotion—the love of England as the motherland of the English folk.

It was an Archbishop of York who said that he would rather see England free than sober; and there are those to-day whose faith it is that they would rather see England small than insolent. Yet none but a very diminutive "little Englander" can view without pride the achievements of his race under Chatham's leadership in the Seven Years' War. No one, for instance, will suspect Mr. Frederic Harrison of entertaining wantonly belligerent sentiments.

If anywhere in the modern world there is an angel of peace it is he. And yet he noticeably omits to overwhelm Chatham with opprobrium for having won victories by the sword. Highly interesting is that long list of tributes which Mr. Harrison quotes in the introduction to his book on the Great Commoner—the tributes of opponents like Burke and Lord North, the tributes of Raynal and Brougham, of Macaulay and Green and Lecky. But most interesting of all are his own words as coming from one who abhors aggression. “It must not be forgotten”, says Mr. Harrison, “that Chatham’s wars were singularly sparing of blood, suffering and ruin, to the victors as to the conquered. They have resulted in permanent conquests and settlements unexampled in modern history.”

For myself I love to think of Chatham as one who inspired a languid and corrupt people with the heroism he had drawn from a larger age. Matthew Arnold says of Gray that he was a born poet who fell on a time of prose. Likewise Chatham grew among those who took their philosophy from Bolingbroke and their poetry from Pope. But he himself was by temper an Elizabethan, looking back to the *Faerie Queene* and the Armada and Philip Sidney. Nor can one better disclose the temper of his soul than by quoting those brave lines wherein Swinburne associates modern England with his *Astrophel*. They might indeed have been in the heart of Chatham as his thought turned to Sidney from Walpole and the Pelhams and Fox.

But England enmeshed and benetted
By spiritless villanies round,
By counsels of cowardice fretted,
By trammels of treason enwound,
Is still, though the season be other
Than wept and rejoiced over thee,
Thy England, thy lover, thy mother,
Sublime as the sea.

And in this spirit he braved the House of Bourbon.

From the period of triumph it is a sad and swift descent to the days when the English people were threatened with disruption. But English history would lack one of its finest episodes had not this shattered old man been suffered to play a part in the events of that tragic time. Superficially considered Chatham’s second ministry may seem to have been a wierd fiasco. Indeed when viewed from the standpoint of practical politics it is hard to imagine a failure more complete. But let no one forget that during the last twelve years of his life Chatham’s body was in Malebolge. What could not be quenched was the fire of his soul, which flashed out

in moments of respite from bodily anguish. What could not be dimmed was the eye that ranged broadly over the whole field of English interests.

We cannot stop to consider how the issues of 1765 and the next decade were complicated by the king's reassertion of prerogative. In touching upon America at the present moment one can only emphasize the nature of Chatham's attitude toward the problem that was presented by the disaffection of the colonies. Just as no other minister had seen so clearly the importance of America; just as no other minister had done so much for America; so when the storm clouds began to gather no one else in England recognized so fully the extent of the danger or its significance. I do not overlook Burke. Who can forget those noble words, "My hold of the colonies is in the close affection which grows from common names, from kindred blood, from similar privileges and equal protection?" Burke on Conciliation is unsurpassed. But it was not till 1775 that his utterances on this subject reached their classic height. In the first days of the Stamp Act Burke had still his way to make in public life. The voice which first swept England in opposition to the taxing of the colonies was Chatham's.

No one need be reminded that when the Stamp Act was passed Pitt lay at Bath in the clutches of gout. To appear on the floor of the House was beyond his power. He wrote strongly enough against the bill, witness his letter to Shelburne, but more he could not do until 1766. Then his whole force, moral and physical, was thrown into a demand for the repeal of the hateful measure. At no time was he more fully master of Parliament than when disclosing his whole mind on the relation which should subsist between England and America. What were other matters compared to this? "I hope gentlemen will come to this debate", he said, "with all the temper and impartiality that his Majesty recommends, and the importance of the subject requires—a subject of greater importance than ever engaged the attention of this House, that subject only excepted, when, near a century ago, it was the question whether you yourselves would be bond or free." At a later date Burke told the House of Commons that it should auspicate all its proceedings on America with the old watchword of the Church, *Sursum Corda*. Chatham approached this great national crisis in the same mood. Nothing else that Englishmen could think of was comparable with the issue presented by the spectacle of unrest in the colonies.

Thinking thus Chatham envisaged the crisis in the largest way.

With the unity of the race at stake, what was this peppercorn of revenue that Grenville had proposed to bring into the Treasury by his stamp tax? But it would be highly unjust to suppose that because on broad grounds of public expediency Chatham felt it unwise to break with the colonies, he was unwilling to face the constitutional points at issue.

I am no courtier of America. I stand up for this kingdom. I maintain that the Parliament has a right to bind, to restrain America. Our legislative power over the colonies is sovereign and supreme. When it ceases to be sovereign and supreme I would advise every gentleman to sell his land if he can and embark for that country. When two countries are connected like England and her colonies, without being incorporated, the one must necessarily govern; the greater must rule the less; but so rule as not to contradict the fundamental principles that are common to both.

Basing his case on the essential difference between legislation and taxation, Chatham maintained that it was robbery for Great Britain to tax the colonies, taking from them money which was not at the disposition of Parliament. The point is this. In supporting his argument he did not set up as the standard a type of colonial theory which had never been accepted by Great Britain—a type of colonial theory so generous as to withhold from the mother country the right of binding her colonies by legislation. Conceivably Chatham might have declared that Great Britain was all wrong in her colonial outlook. But not being a philosopher, and taking things as they were, he said: "Very well, this legislative right is ours. We have always claimed it. But does that make the colonists the bastards of England? No, they are her sons. And you have no right by taxation to lay finger on a penny of theirs." Or, to quote his own words: "The gentleman asks, When were the colonies emancipated? I desire to know when they were made slaves."

Thus for Chatham, as for Burke, the criterion is freedom. It is the spirit of the English communion which forbids coercion, even if it could be exercised.

Of course we must recognize that even under the most favorable circumstances it might have proved impossible to preserve the political unity of the English race. And there may be a doubt as to whether human progress is wholly contingent upon Anglo-Saxon sovereignty. The narrowing of the world through modern means of communication opens up international and ethnological problems which, undreamt of by Chatham, are but dimly apprehended by

ourselves. Yet a great historical tradition is among the imperishable possessions of mankind. Like Greece and Rome, England has her traditions—England, I mean, in the broadest sense of language, that is to say, each spot where those of English lineage abide. How much the tie of sentiment still means no one can say. Circumstances have not yet applied a decisive test. But that it means something is a fact of common knowledge.

Remembering this we look back, two centuries from Chatham's birth, upon a career which was inseparably connected with the English—not with England as an island but with the English as a race. The year before Chatham died Burgoyne surrendered at Saratoga. Twenty years earlier there had begun under the Great Commoner that marvellous series of victories which made the English a power in every continent. And so in summing up, one would depict Chatham as the last in time of those leaders whose deeds and memory recall to Englishmen everywhere their common origin. No one ever wrought more for the race, or loved it more intensely, or served it more willingly, or viewed its political disruption with greater grief of soul.

CHARLES W. COLBY.

THE SOUTH CAROLINA FEDERALISTS, II.

THE scene of chief interest in the political history of South Carolina now shifts to the federal Congress—to the debates upon the initial policies of the government, and their influence upon the sentiment of the members and the public. The senators from South Carolina during the first sessions were Ralph Izard and Pierce Butler, who accorded in their policies for a year or two, but then drifted apart. Butler was impetuous in disposition, and likely to denounce all persons, the administration included, who opposed his views. Izard was somewhat more magisterial in temperament. Butler had acted with the conservatives in 1783–1784, and had supported the new federal Constitution in 1787–1788. But a brief experience in Congress brought the beginning of a thorough change in his attitude. On August 11, 1789, he wrote from New York to James Iredell of North Carolina, who had been a close friend:¹

I find locality and partiality reign as much in our Supreme Legislature as they could in a county court or State Legislature. . . . I came here full of hopes that the greatest liberality would be exercised; that the consideration of the *whole*, and the general good would take place of every object; but here I find men scrambling for partial advantages, State interests, and in short a train of those narrow, impolitic measures that must after a while shake the Union to its very foundation. . . . I confess I wish you [*i. e.*, the state of North Carolina] to come into the confederacy as the only chance the Southern interest has to preserve a balance of power.

William Maclay, the caustic senator from Pennsylvania, observes in his *Journal* that Butler was himself the personification of sectionalism, bent upon the selfsame narrow policy for local advantage which he censured so flamingly in others.² The development of Butler's general attitude, it may be remarked, was closely paralleled in the case of all the leading Georgia politicians of the period,³ while Izard's policies were those of almost the whole group of South Carolina conservatives.

After Butler through denouncing the tariff and tonnage bills.

¹ G. J. McRee, *Life and Correspondence of James Iredell*, II. 264, 265. For other letters of Butler to Iredell, see *ibid.*, II. 44, 87, 403 and 406.

² *Journal of William Maclay*, edited by E. S. Maclay, pp. 71, 72 *et passim*.

³ Cf. U. B. Phillips, "Georgia and State Rights", in the *Annual Report of the American Historical Association* for 1901, II. 26 *et passim*.

had drifted into the opposition, Izard's chief working associate in Congress was his son-in-law William Smith,⁴ a representative from South Carolina for nearly a decade in the Lower House. These two, aided vigorously after 1794 by Robert Goodloe Harper, were apparently the chief agents in holding the South Carolina conservatives firmly to the nationalistic policies and to the Federalist party alignment.

The chief issue in the First Congress promoting the doctrine of broad construction on the part of the South Carolinians was that of the assumption of state debts. South Carolina, together with Massachusetts and Connecticut, was laboring under a heavy debt⁵ incurred during the war and still undischarged. The desire to have this assumed by the central government was a federalizing influence in the state. William Smith, furthermore, bought up a quantity of state notes, and passed the word around among his Charleston friends that there was probably money to be made by all who would enter the speculation.⁶ This of course increased the enthusiasm with which "assumption" was locally favored.

There was little discussion in the state, it seems, over the first two presidential elections. George Washington was the obvious choice for the presidency, and South Carolina gave him her eight electoral votes in each case. At the first election she gave her remaining eight votes to John Rutledge, a citizen of her own whom she was delighted to honor; and in 1792 her electors cast seven votes for Adams and one for Burr. George Clinton, the regular Republican vice-presidential candidate at the time, was little known in the state; and the Republican party had not yet acquired firm organization.⁷

In 1792 affairs in France reached a crisis in their course which caused the Revolutionary government there to declare war against all the neighboring monarchs of Europe and to proclaim a worldwide crusade to establish its doctrines of Liberty, Equality and Fraternity. This propaganda was promptly extended to the United States, and Citizen Genet, its chief emissary, began his work in the

⁴ Sometimes called by his full name, William Loughton Smith, but signing himself apparently always without the middle name.

⁵ Some four million dollars in the case of South Carolina.

⁶ Letter of David Campbell, a relative of Smith, to the editor, in the *Charleston City Gazette and Daily Advertiser*, October 3, 1794. The period was one of much speculation throughout the country.

⁷ The narrative of the Jeffersonian and Hamiltonian party origins, written from the Federalist point of view, was published in a pamphlet preserved in the William Smith collection in the Charleston Library and attributed to William Smith. It is entitled *The Politics and Views of a Certain Party* (1792).

city of Charleston in April, 1793. Some of the local radicals, as we have seen, had already been disposed to be hostile toward Great Britain, and to adopt populist policies in domestic affairs. The French agitation now greatly strengthened these tendencies. The enthusiasm for France and Democracy was for a time very great. Two societies, the "Republican" and the "French Patriotic", were promptly formed at Charleston, and like the many similar organizations at the time in the other cities and towns of the United States, drank multitudinous toasts with great acclaim to liberty and equal rights and to the perpetual friendship of France and America.⁸ Many of the young men particularly were captivated by the enthusiasm; and the military and naval commissions offered by Genet were eagerly accepted by adventurous characters among the citizens.⁹

But there were those who welcomed neither Genet nor the ideas which he represented; and the ardor even of many of the enthusiasts was soon chilled by President Washington's disapproval of Genet's deeds. In some cases, that of Robert Goodloe Harper for example, the reaction was so strong as to carry young men all the way from rampant democracy to fast conservatism and steady membership in the Federalist party.¹⁰ By the end of 1793 the people of South Carolina were in well-defined Francophile and Francophobe factions.¹¹ The conservatives had control of the South Carolina house of representatives. On December 2, 1793, that house resolved, unanimously, that a committee be appointed with full powers to send for persons and papers and ascertain the truth of a report that an armed force was levying in the state by persons under foreign

⁸ E. g., *S. C. State Gazette*, September 22, 1793; *Charleston City Gazette and Daily Advertiser*, February 9, 1795; *American Daily Advertiser* (Philadelphia), July 31 and September 4, 1793.

⁹ Cf. "The Mangourit Correspondence in Respect to Genet's Projected Attack upon the Floridas, 1793-1794", in the *Annual Report of the American Historical Association* for 1897, pp. 569-679; and "Correspondence of the French Ministers to the United States, 1791-1797", *id.* for 1903, vol. II., both edited by F. J. Turner.

¹⁰ In a debate in Congress, March 29, 1798, W. B. Giles taunted Harper with having declaimed with fervor in 1792 and 1793, in favor of the Rights of Man. Harper replied at once: "He owned he partook of that enthusiasm which at the time raged in America; because he was deceived. He then believed the French had been unjustly attacked but he now found they were the first assailants. . . . He then believed that the principal actors in the [French Revolution] were virtuous patriots, but he had since discovered that they were a set of worthless scoundrels and mad-headed enthusiasts, who in endeavoring to reduce their fallacious schemes to practice, have introduced more calamities into the world than ages of government will be able to cure." *Charleston City Gazette*, April 19, 1798.

¹¹ A similar state of affairs prevailed in Savannah, as witness conflicting resolutions adopted in public meetings and reported in the *Georgia Journal and Independent Federal Register*, January 11 and 15, 1794.

authority. On December 3, Robert Anderson, chairman of this committee, directed Colonel Wade Hampton to summon William Tate, Stephen Drayton, John Hambleton, Jacob R. Brown, Robert Tate and Richard Speake, to appear before the committee at once, using compulsion, if necessary, to bring them, and to search for papers relating to their recited purpose. In accordance with orders Hampton seized Stephen Drayton and carried him 130 miles to make appearance at Columbia. Drayton then employed Alexander Moultrie as attorney to sue the members of the committee for \$6000 damages. The house resolved that members were not suable for actions taken in the house, and it summoned both Drayton and Moultrie to appear and receive reprimand for violating the rights of the house. These men refused to appear, and Moultrie in protest against the proceedings published a pamphlet giving the whole narrative from his point of view.¹²

Another *contretemps* is related in a public letter addressed by M. Carey to his brother *vrais sans culottes*, and published in the *South Carolina Gazette*, July 26, 1794. Upon the arrival of the vessel of the Republic *L'Amie de la Liberté* at Charleston after a cruise in neighboring waters, her officers and crew learned that Colonel Jacob Read had called them in open court a lawless band of pirates. Carey then accosted Read at the door of the State House and demanded his reason for such accusation. Read replied that he did not consider himself bound to answer for his language in court to unknown and insignificant characters. Carey then called Read a liar and a scoundrel and gave him his address; but next day Read filed a complaint against him and Carey was bound over to keep the peace. Read now took offense at the *Gazette* for publishing Carey's letter and challenged one of its editors, Timothy, to a duel; but the affray was prevented by an officer of the law.

In Charleston and the plantation districts the coolness toward democratic theory and the reaction against it were promoted by the news from the French West Indies. In Hayti particularly, the application of the doctrine of inherent liberty and equality to the negro population had led to an overwhelming revolt of the blacks under Toussaint L'Ouverture, and had brought great disaster to the whites. Haytian refugees flocked into Charleston, as well as into New Orleans, Norfolk, Philadelphia and New York, furnishing whether audibly or silently an argument for firm government. A view which prevailed throughout the decade was expressed by Na-

¹² *An Appeal to the People, on the Conduct of a certain Public Body in South Carolina respecting Col. Drayton and Col. Moultrie*, by Alexander Moultrie (Charleston, 1794).

thaniel Russell, writing from Charleston, June 6, 1794, to Ralph Izard at Philadelphia:¹³

We are to have a meeting of the citizens on the 11th inst when I hope some effective measure will be adopted to prevent any evil consequences from that diabolical decree of the national convention which emancipates all the slaves in the french colonies, a circumstance the most alarming that could happen to this country.

Another consideration against thoroughgoing democracy in the state was that it would lead to a redistribution of representation¹⁴ in the legislature in such a way that the up-country would acquire control of both houses and be able to enact legislation of any sort it desired, regardless of the opposition of the plantation interests which at this time and for a few years longer were still confined to the coast. The Jeffersonian movement, however, combining the principles of individual rights and state rights, welcomed from the beginning by the Charleston radicals, and vigorously organized by Charles Pinckney with Pierce Butler, Thomas Sumter and Wade Hampton as his colleagues, had strength enough even in the lowlands to keep the Federalists in fear of losing all their Congressional representation at each recurring election.¹⁵

The theme which furnished the most active partizan discussions in 1794-1795 was of course the Jay Treaty. William Smith addressed his constituents in a pamphlet in the spring of 1794 to vindicate his conduct in Congress from the slander of his opponents. He repelled the charge of advocating the cause of Great Britain or vindicating her piratical conduct, but he said that on the other hand he had been no more friendly toward France, for the French government had been no more friendly toward us. He said that he leaned toward Great Britain in the matter of commercial relations for the reason that friendly connection with British trade was vastly the more important to the United States and especially to South Carolina.¹⁶ Smith mentioned the news of the Jay Treaty in a postscript to his pamphlet, but gave it no full discussion. The popular

¹³ MS. among the Ralph Izard papers in the possession of Mrs. Hawkins Jenkins, Pinopolis, S. C.

¹⁴ On this general theme see W. A. Schaper, "Sectionalism in South Carolina", in the *Annual Report of the Amer. Hist. Assoc.* for 1900.

¹⁵ E. g., anonymous letter to the editor, *Charleston City Gazette and Daily Advertiser*, October 10, 1794, supporting William Smith for re-election, and conveying "an electioneering whisper" to the partizans of the old representation, the funded interest and the system of energy and power. The plan he proposes is for the Smith supporters to keep the opposition divided as it now is between several ambitious Republicans and win by casting a plurality of votes.

¹⁶ *An Address from William Smith to his Constituents* (Philadelphia, 1794).

debate in South Carolina upon the treaty was reviewed in part by Harper in a letter to his constituents in 1796. The *Charleston City Gazette*, July 14, 1795, had declared the treaty "degrading to the National honor, dangerous to the political existence and destructive to the agricultural, commercial and shipping interests of the people of the United States". Chief Justice Rutledge in a speech printed in the *City Gazette* of July 17 had described the treaty as "prostituting the dearest rights of freemen and laying them at the feet of royalty". Charles Pinckney in a speech at Charleston had accused Jay of corruption by the British court and of having bartered away the western territory. Harper pointed out the intemperance of these censures, and proceeded in quiet and solid argument to defend the ratification of the treaty.¹⁷

Up to this time the two parties had not reached full organization and had not decisively divided all the South Carolina voters between them. For example, Henry W. De Saussure and John Rutledge, jr., both talented popular young men and active in state politics, were not attached to either party. Rutledge, in fact, was elected to Congress by the people of Orangeburg and Beaufort districts in 1796 as an uncommitted candidate, and he did not cast his lot with the Federalists until some weeks after he had taken his seat.

In the presidential campaign of 1796 the issue was known to be extremely doubtful, and each side strained every resource for victory. In South Carolina the Federalists had been made uneasy by losses in recent Congressional and assembly elections. To improve the prospects in the state and possibly in neighboring states as well, the party in the nation at large adopted Major Thomas Pinckney as its vice-presidential candidate. Pinckney belonged to an old and prominent rice-planting family, had served with credit in the war, had been governor of the state, and had recently won distinction and praise in the whole country as the negotiator of a very popular treaty with Spain.¹⁸ He was in a word an honored member of a much honored conservative group of "revolutionary warriors and statesmen". He was not an outright party man, but his general point of view was harmonious with that of the Federalists. Alexander Hamilton, in fact, tried to secure his election over Adams's head. With Pinckney on the ticket the party managers in South Carolina, Izard, Smith and Harper, hoped to get at least a few of

¹⁷ *An Address from Robert Goodloe Harper, of South Carolina, to his Constituents, containing his Reasons for approving the Treaty of Amity, Commerce and Navigation with Great Britain* (Boston, 1796).

¹⁸ Rev. C. C. Pinckney, *Life of General Thomas Pinckney* (Boston, 1895).

the electoral votes of the state for Adams;¹⁹ and Smith urged Izard to visit the legislature and work to this end.

The local supporters of Adams feared mainly the influence of Edward Rutledge, and the outcome justified their fear. Rutledge was a signer of the Declaration of Independence, and had seen some military service; but after the war for many years he would accept no public appointment, except a seat in the state legislature which he held from 1782 to 1798. He rendered frequent unofficial service as peace-maker in preventing duels and in other private and public matters.²⁰ In a word he was another highly esteemed member of the Revolutionary group, and was the Nestor of the legislature. He was the intimate friend of Thomas Pinckney, but was probably a little more democratic in his point of view. For example, he had framed the act which in 1791 had abolished primogeniture in South Carolina.²¹ Rutledge preferred Jefferson to Adams in 1796, and probably had hopes, like Hamilton, of bringing in Pinckney over both of them. The legislature and the electors willingly adopted the Pinckney-Jefferson plan, and the votes of South Carolina were cast eight for Pinckney and eight for Jefferson. A number of New England Federalist electors, on the other hand, "scratched" Pinckney and reduced his total vote below that of either Adams or Jefferson. The votes cast by South Carolina would have given Jefferson the presidency had not North Carolina and Virginia each given a single unexpected vote to Adams.

In 1797 Ralph Izard, already in retirement from the Senate, was made permanently an invalid by paralysis, and William Smith, probably unable to control his district longer, withdrew from Congress and took the mission to Portugal. The Federalist management in the state passed entirely to Robert Goodloe Harper, who differed greatly from the local Federalist type both in origin and in residence though not in policy. He was a native of Virginia who after graduating at Princeton had gone to Charleston to study law and seek a career. Admitted to the bar in 1786, he removed to the up-country where lawyers were few and opportunities many. He rapidly gained reputation as a lawyer, pamphleteer and politician, changed his politics from Democratic to Federalist as we have seen, in 1794-1795, and was from 1795 to 1801 by far the most alert, vigorous and effective spokesman and leader of the Federalists in

¹⁹ On the South Carolina situation, see the letters of Smith to Izard, November 3 and 8, 1796, and of Harper to Izard, November 4, 1796, printed in this number of this journal.

²⁰ David Ramsay, *History of South Carolina* (Charleston, 1809), II. 523.

²¹ J. B. O'Neill, *Bench and Bar of South Carolina* (Charleston, 1859), II. 117.

the Lower South. De Saussure and Rutledge were later recruits, who wrought sturdily for the party in the later nineties.

General William A. Washington, John Ewing Calhoun and Dr. David Ramsay were active at times as Federalist leaders of secondary importance, and Gabriel Manigault, though always preferring plantation life to public office for himself, served steadily as a guiding party administrator at home while Smith and Harper were on the firing line in Congress. The brothers Charles Cotesworth and Thomas Pinckney were dignitaries within and ornaments to, rather than working members of, the local Federalist party. Christopher Gadsden, another prominent veteran, while sympathizing with his aristocratic associates, refused to countenance party action. He published a pamphlet in 1797 decrying the spirit of faction, objecting to the pledging of presidential electors in advance, and prophesying results from the rivalry of Jefferson and Adams similar to the violence between Caesar and Pompey of old.²²

All of the Federalist leaders were members of the old planter families in the lowlands, except Harper who himself was recognized as of good Virginia stock. The Republicans, whether leaders or rank and file, were less homogeneous and, partly in consequence, were harder to keep in solid organization. The Charleston democracy, the poor-whites of the pine-flats and the sturdy yeomanry of the Piedmont furnished the chief components of the party's mass; but these classes were without the oratorical gift in which the gentry revelled and without experience in large affairs. They elected to Congress a few men of their own class,²³ the veteran Thomas Sumter, for example, but they secured aggressive leaders only through the enlistment of some of the planters in the Republican cause.

The career of Pierce Butler in this connection we have already noted. Another example is Wade Hampton, in many respects a younger prototype of Butler, a man of impetuous temper and highly individualistic inclinations, submitting to no party restraints. He usually opposed the Federalists, partly because he was a man of the new Piedmont planters and not of the old lowland gentry, and partly because of his wish to confine all government within narrow bounds.²⁴

²² *A Few Observations on some late Public Transactions . . . By a Member of the Congress on the Stamp Act . . . and of the two first at Philadelphia, in 1774, and 1775* (Charleston, 1797).

²³ Cf. *Carolina Gazette*, September 13, 1798, letter to the editor, signed "A Resident of the Upper Districts".

²⁴ For an excellent first-hand character-sketch of Hampton see Edward Hooker's Diary, in the *Annual Report of the Am. Hist. Assoc.* for 1896, I. 845-850.

The chief organizer and manager of the Republican machinery was Charles Pinckney, cousin to the two Revolutionary veterans. He was a man with ability for constructive statesmanship, as was shown very early in his career by his excellent work in the Philadelphia Convention of 1787. He was, however, a plunger in business affairs,²⁵ and a spoilsman in party politics; and according to tradition in Charleston he was dishonest in the conduct of trust estates committed to his charge.²⁶ He launched into Republican leadership partly from a dislike of Adams, but more largely, it may be conjectured, from a desire for a conspicuous career. In 1795 the South Carolina Republicans were a leaderless party and Charles Pinckney was a talented politician without a following and with no principles in particular. He embraced the opportunity, was elected governor and senator, and in 1800 swung his state to Jefferson and deposed his enemy, Adams, from the presidency.

The course of foreign affairs in 1796, 1797 and 1798 gave the Federalists a decisive tactical advantage. Harper utilized the opportunity, according to his custom, and in August, 1798, addressed a pamphlet to his constituents. In it he described the offensive behavior of the French Republic toward the United States and told of the steps in progress for defending America against a French invasion, which he declared would probably be undertaken unless bold military preparations in this country should discourage it.²⁷

Sentiment in Charleston had already grown so apprehensive of French attack upon the port that measures suitable to an emergency were being taken. At a mass meeting assembled in St. Michael's Church on May 5 to express public endorsement of Adams's foreign policy, a proposal was made and welcomed for a voluntary private subscription to supplement the funds to be provided by the federal government for the protection of Charleston.²⁸ The money thus

²⁵ In 1795-1796 he had bought on credit three plantations of tide lands with the negroes on them, costing above 29,000 pounds. In 1800 he was still heavily in debt on this account and under some pressure from his creditors. Letter of C. Pinckney to the editor, *Carolina Gazette*, October 9, 1800.

²⁶ Acknowledgment for data concerning Charles Pinckney and Alexander Gillon is due to Dr. Barnett A. Elzas of Charleston. Since this article was sent to press, a valuable discussion of Charles Pinckney has been published by Theodore D. Jervy in the early chapters of his *Robert Y Hayne and his Times*. The publication of Mr. Jervy's material necessitates no revision of the estimate of Pinckney here given.

²⁷ *A Short Account of the Principal Proceedings of Congress in the Late Session, and a Sketch of the State of Affairs between the United States and France in July 1798; in a Letter of Robert Goodloe Harper of South Carolina to One of his Constituents* (Philadelphia, August, 1798). For a letter of William Smith on the situation (written from Portugal) see *Sewanee Review*, XIV. 96.

²⁸ *Carolina Gazette*, May 10, 1798.

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raised, amounting to about \$100,000, was used to build a frigate at Charleston in 1798-1799, which was christened the *John Adams*.²⁹ Foreigners were maltreated in some localities;³⁰ Henry W. De Saussure denounced the arrogance of France in the Fourth of July address at St. Philip's Church, Charleston; and Justice Bay took occasion in November upon his circuit in the counties of the upper Piedmont to deliver political charges to the grand juries, praising Adams, appealing for support to the administration and denouncing the recalcitrant few in South Carolina who had persisted in their partizan antagonism.³¹

But the Federalists had already prepared the way for their own downfall. The Alien and Sedition Acts of June and July, 1798, were an abuse of power which few Carolinians except Harper could defend. A sign of the reaction was the election of Charles Pinckney to the United States Senate in December, 1798. The pendulum of foreign relations, furthermore, swung to the Republican side. Charles Pinckney printed with good effect a series of well-written remonstrances against the overbearing policy of Great Britain.³² Aside from these movements there was a lull in the local debate until the middle of the year 1800. Then, from June to November, the gazettes teemed with controversial articles, most of which were of Republican tone.

The issues presented in the general campaign were little different from those of 1796. The Federalist programme, in fact, was in several features identical. The party stood upon its record and not upon the promise of new policies. It again nominated a South Carolinian, Charles Cotesworth Pinckney in this case, to run with Adams; and Hamilton again tried to secure the election of Adams's companion candidate instead of Adams himself.

What has been said of Thomas Pinckney, a few pages above, applies with slight change of detail to his brother Charles Cotesworth. Their previous careers had been closely parallel; they were similarly devoid of records as party men but similarly distinguished for integrity, public spirit and high social standing; and they were similarly passive when they themselves were candidates. There is

²⁹ *Carolina Gazette*, May 23, 1799.

³⁰ *Columbian Museum* (Savannah, Georgia), January 23, 1798.

³¹ *Carolina Gazette*, December 27, 1798.

³² Printed first in the newspapers, then collected in a pamphlet: *Three Letters, written and originally published under the Signature of a South Carolina Planter: The first on the Case of Jonathan Robbins. . . . the second on the Recent Captures of American Vessels by British Cruisers, . . . the third on the Right of Expatriation, By Charles Pinckney, Esquire, Senator in Congress from South Carolina* (Philadelphia, 1799).

contemporary evidence that Charles Cotesworth Pinckney³³ repelled as unjust to Adams a proposal from men in control of the situation that a compromise between the two parties be adopted on the same plan as that which had been acted upon in 1796, and that the vote of South Carolina be given eight for Pinckney and eight for Jefferson.

The Federalists of the state allowed the election to go largely by default. Ralph Izard and William Smith were no longer in the arena, Thomas and C. C. Pinckney refrained from any electioneering; and worst of all, Robert Goodloe Harper had notified his constituents in a letter of May 15 that he would not run for Congress again and would not return for further residence in South Carolina. The local Federalists were leaderless—a new thing in their experience—handicapped by the record of the Alien and Sedition Acts, and generally powerless. The result of the contest hinged upon the work of one man, Charles Pinckney, whose exertions in Jefferson's and Burr's behalf were as marked as the inertness of the Adams and Pinckney men.

Charles Pinckney wrote a full account of his labors in the emergency in letters to Jefferson, which have been published in this journal.³⁴ The choice of electors was to be made, as usual in the state, by the legislature elected shortly before the presidential contest. Charleston sent in 1800, as usual, a majority of Federalists to the assembly (11 to 4), but the whole membership of the two houses on joint ballot promised to be very evenly divided. Charles Pinckney, instead of going to Washington for the opening of Congress, went to Columbia to manage the election of electors. By contesting the election of numerous members, and other jockeying, and by persuading such members as could be persuaded, he succeeded in swinging the majority. The assembly chose Republican electors by votes ranging from 82 to 87 as against 63 to 69 for the Federalist candidates. Pinckney then promptly wrote Jefferson requesting him not to "make any arrangements for this state" before consulting himself. The allusion was of course to the distribution of patronage.

Harper on the day after Jefferson's inauguration wrote as a farewell to his late constituents a eulogy of the constructive work performed by the Federalist party.³⁵ It was a splendid appreciation and fit to serve, as it did, as an obituary address. The gentry were

³³ AMERICAN HISTORICAL REVIEW, IV. 112, 113, 330.

³⁴ *Ibid.*, pp. 111-129.

³⁵ This was reprinted together with the other pamphlets herein mentioned in a volume: *Select Works of Robert Goodloe Harper*, vol. I., all published (Baltimore, 1814).

of course shocked by the triumph of Jefferson, and could adjust themselves to it only by retirement in injured dignity to private life.³⁶

The Jeffersonian régime soon upset the whole adjustment of parties and their constitutional maxims. To the Republicans of 1801 the historical Republican doctrines were little more interesting than the last year's almanacs. The Northern wing of the Federalist party soon borrowed the arguments of strict construction in order to oppose the Louisiana Purchase, the embargo and the War of 1812; but the Carolina Federalists saw no occasion to follow this example. They accordingly did little but maintain their party machinery, in more or less isolation from parties outside the state. At the beginning of 1803 the *Charleston Courier* was established as a Federalist organ, denouncing in its editorials the French doctrines of the rights of man, etc., and praising conservatism and stability in government.³⁷ The editor soon began to complain of apathy in his party: "Sure some spell . . . hangs over the federalists. . . . If not for their own sakes, will they not for the salvation of their country rouse from the censurable sloth and fight the democrats?"³⁸ The Federalists locally would not arouse, for they had no issue for which to fight. The Jeffersonians had adopted the Federalist policies, and the South Carolina Federalists were drawn more and more into harmony with them and out of sympathy with the filibustering New Englanders. The older generation continued to cling passively to the name of Federalist. The *Charleston Courier* toned down and ceased to be a party organ. The sons of the gentry, William Lowndes, for example, drifted inevitably into the Republican party,³⁹ which was now no longer Democratic in the old doctrinaire sense, but was the one party of action. As a sign of the times even among the older group, William Smith, having returned from Portugal, went over to the Republicans and in 1810 tried to secure a nomination to Congress.⁴⁰ By force of the embargo and the British war, which they supported, the South Carolina Federalists gradually ceased to contend that they had a reason for separate existence, and they were gradually merged among the Republicans, who as a party accepted leaders largely from the gentry of the former Federalist families.

The Federalist party in the state was practically dead by 1812. The old Federalist policies, however, championed as they were by

³⁶ Cf. Mrs. St. Julien Ravenel, *Life of William Lowndes*, pp. 59 ff.

³⁷ E. g., editorial of June 13, 1803.

³⁸ *Ibid.*, June 17, 1803.

³⁹ Mrs. St. Julien Ravenel, *Charleston, the Place and the People*, p. 379.

⁴⁰ E. S. Thomas, *Reminiscences*, II. 51, 57.

the new generation of leaders in spite of their repudiation of the party name and alignment, continued to control the state until about 1827. But the times again were changing, and men's opinions with them. Calhoun, Cheves, Lowndes and McDuffie had supported the national banks, Federal internal improvements and the protective tariff in the years of emergency at the close of the War of 1812, and had rejoiced in the opportunity of promoting the welfare of the manufacturing and wool-growing regions, so long as it did not obviously threaten injury to the people of their own state. But when the protected Northern and Western interests fattened and grew strong and used their strength to force through Congress bills for the further heightening of duties, and when it came to appear that the plantation states were entering a severe depression partly because of their previous generosity, the dominating sentiment among the people and the leaders in South Carolina reacted sharply against the so-called American system and against the constitutional theory which supported it. The Carolina statesmen, finding that the genie which they had loosed from his jar was threatening them and their people with oppression, resorted to the mystic (yet severely logical) formula of nullification in the hope of conjuring him back under control. Andrew Jackson's coercive proclamation, together with the Congressional force bills, established a decisive majority in the state in a position of resentment and reaction. The public appreciation of the impending crisis over negro slavery in the following period operated to make this attitude permanent. The Federalist policies were now not appreciably less dead in the state than was the old Federalist party organization.

ULRICH B. PHILLIPS.

ENGLISH INTEREST IN THE ANNEXATION OF CALIFORNIA ¹

ALL histories treating of the Pacific Coast devote much attention to the question of English interests in, or designs on, California during the period from 1838 to 1846. In any brief treatment of this subject, only the more important points can be considered, and this article is therefore confined to the larger aspects of the case customarily stated by historians. When the various suspicions directed against Great Britain are summarized, they are found to deal with three points: first, a mooted transfer of California to the English bondholders of the Mexican debt, with the ultimate object of making California a colony of Great Britain; second, a project for the immediate and direct transfer of California to England by sale or gift from Mexico; and third, specific instructions to British admirals upon the Pacific Coast looking toward the accomplishment of these designs. Up to within a very recent time, it has been possible to do no more than to present negative evidence against an assertion of such designs or plans. Now, however, by the recent opening to research of the Records of the British Foreign Office to 1850, it is possible to determine whether or not English foreign secretaries knew or cared anything about California. It is the purpose therefore of this article to state the results of an examination made into the documents preserved in the Record Office in London with special reference to the question of British designs upon California,² for it is certain that if any definite plans ever existed upon the part of the English government, or were even favorably received by English ministers, they would find some place in British contemporary correspondence.

¹ The substance of this paper was presented before the meeting of the Pacific Coast Branch of the American Historical Association, at Berkeley, California, November 21, 1908.

² The Records thus examined covered the period from 1838 to 1846 inclusive, and were found in the series of despatches to and from the diplomatic agents, both ministers and consuls, in America, Mexico, and after 1841, in Texas. In addition, search was made in the Admiralty Records for the same period, although these are by no means complete, owing to the destruction by an official at the Admiralty Office of the greater portion of the despatches of the Admiralty of this period—a destruction covering not merely the Admiralty Letters to and from the Pacific Coast, but Admiralty Letters from stations all over the world. It was, however, possible, in the lack of the letters themselves, to use for these years the "Digest and Précis" of Admiralty Correspondence, which gives in condensed form the substance of each letter sent out or received.

Setting aside, then, all the various rumors prevalent at the time, and confining attention to the evidence secured from the Record Office, it appears that the very first interest in California, manifested by British agents, arose as a result of the arrest of English and American citizens in Monterey, in April, 1840, for an alleged conspiracy intended to overthrow the authority of Governor Alvarado.³ These foreigners, some two score in number, were transported to Tepic, under the charge of Josef Castro, and there claimed the protection of Barron, the British vice-consul. In his report to Pakenham, at Mexico, upon the incident, Barron, while taking the necessary steps to secure indemnity for the "injustice" done to British subjects, was nevertheless primarily concerned that no British ship of war was at hand to be despatched to Monterey. He was in fact compelled to appeal to the commander of the United States corvette, *San Luis*, and to entrust to him the investigation of the causes of the trouble in California. In the subsequent correspondence on the adjustment of the difficulty, much praise is given the American commander for his prompt and generous services,⁴ but the necessity for such aid irritated both Barron and Pakenham, and both men urged an increase of naval strength in the Pacific.⁵

In the beginning, then, Pakenham was interested solely in the question of British naval prestige, and there is no evidence that he had any real knowledge of the situation in California. Soon after this, however, he received several communications from Barron, stating the great value of Upper California, and at about the same time, he had a long conversation with one Forbes, who had been a resident of Monterey.⁶ Also, Pakenham learned of the journey through California of a Frenchman, Duplot du Morfras, and apparently became somewhat suspicious of French designs upon the Pacific Coast. The result was that on August 30, 1841, he addressed a despatch to Palmerston, advocating a plan which should ultimately secure California to Great Britain.⁷ He wrote:

It is much to be regretted that advantage should not be taken of the arrangement some time since concluded by the Mexican Government with their creditors in Europe, to establish an English population in the magnificent Territory of Upper California.

He then stated the terms of an agreement concluded in 1837 between the Mexican government and the British bondholders of the

³ F. O., Mexico, 136, Barron to Pakenham, May 12, 1840.

⁴ *Ibid.*, 137, no. 78, Pakenham to Palmerston, August 22, 1840.

⁵ *Ibid.*, 136, no. 65, Pakenham to Palmerston, July 5, 1840.

⁶ *Ibid.*, 145, no. 43, Pakenham to Palmerston, June 10, 1841.

⁷ *Ibid.*, 146, no. 91, Pakenham to Palmerston.

Mexican debt, by which it had been arranged that in place of a repayment in cash to the bondholders they were to be permitted to locate lands within the boundaries of the Mexican state, to colonize them and to receive revenues from them. Some few attempts had been made and plans put forward to realize this scheme, and the Mexican government had offered to allot a large quantity of such lands in the province of Texas. Meanwhile, however, Texas had risen in revolution and had thrown off Mexican authority, so that the proposal seemed absurd to the bondholders, and it was now desired to find lands elsewhere that might be thus organized. Pakenham continued:

. . . as relates to Texas, the arrangement must of course, be considered a dead letter; and in the present circumstances of the Country, Chihuahua, and New Mexico are not eligible districts for colonization: but I believe there is no part of the World offering greater natural advantages for the establishment of an English colony than the Provinces of Upper California; while its commanding position on the Pacific, its fine harbours, its forests of excellent timber for ship-building as well as for every other purpose, appear to me to render it by all means desirable, in a political point of view, that California, once ceasing to belong to Mexico, should not fall into the hands of any Power but England; and the present debilitated condition of Mexico, and the gradual increase of foreign population in California render it probable that its separation from Mexico will be effected at no distant period; in fact, there is some reason to believe that daring and adventurous speculators in the United States have already turned their thoughts in that direction.

He then gave details to show that it would be easy to form a company in England, "for the establishment of an English colony in California", and to prove its certain success as a business venture.

If it were to be known that an enterprise of this kind would receive the sanction and support of Her Majesty's Government, properly qualified persons would readily be found to carry out the plan; and I am sanguine enough to believe that the result would be the establishment of a prosperous colony united in feeling and interest with England, and at the same time the attainment of an object, in my humble opinion, of the highest political importance. I need scarcely observe that any foreign Settlement in California would for some time to come be nominally dependent on the Mexican Republic; but this state of things would not last forever, nor, while it did last, would it, I imagine, be attended with serious inconvenience.

If it were to be understood that Pakenham here reflected English governmental opinion, it would be certain that England was looking forward to the breaking-up of Mexico, and that she was not averse to profiting by the disturbance. In reality, Pakenham merely stated his own opinion—an opinion evidently moulded by Barron

and Forbes. Certainly, it must have appeared to the British cabinet that its agent in Mexico was pursuing a curious policy in thus coolly planning for the ultimate seizure of a part of that state at a time when his instructions ordered him to aid Mexico in every possible way in the establishment of a strong, united government. Pakenham did not himself believe that Mexico would ever be able to unite under a republican form of government and become a strong power, but his idea of the inevitable disintegration of the Mexican state was not as yet shared by his superiors at home. His recommendation in regard to California had been addressed to Palmerston, but before his despatch could reach England a change of government had brought Aberdeen to the Foreign Office.

Aberdeen's reply promptly put an end to Pakenham's dream of a British colony in California. The latter's despatch had been referred to the Colonial Office, and the reply of Stanley from that office to Aberdeen was now transmitted to Pakenham without comment from the Foreign Office.⁸

His Lordship directs me in answer, to acquaint you for the information of the Earl of Aberdeen, that he is not anxious for the formation of new and distant Colonies, all of which involve heavy direct and still heavier indirect expenditure, besides multiplying the liabilities of misunderstanding and collisions with Foreign Powers. Still less is Lord Stanley prepared to recommend the adoption of a plan whereby the Soil shall, in the first instance, be vested in a Company of Adventurers, with more or less of the powers of Sovereignty and of Legislation, and the Settlement so formed be afterwards placed under the protection of the British Crown; which as it seems to his Lordship is the position contended for by Mr. Pakenham.

This reply is, in truth, a concise statement of the entire British attitude at the moment and represents the almost unanimous opinion of English statesmen that the day for colonial enterprise had passed. Such opinion is illuminative of British policy as regards both home and colonial politics, and to neglect it would be totally to misunderstand those conditions in English government at the moment which practically negative any suspicion of British designs for expansion in *any* new territory, wherever that territory might be located.

Pakenham perfectly understood the indifference of Great Britain to his plan and he himself at once lost interest in it. In fact, he even neglected to appoint a vice-consul at Monterey at the time, permission to do which had been previously granted to him,⁹ and it was not until after Commander Jones, of the American navy, performed

⁸ F. O., Mexico, 143, no. 13, Aberdeen to Pakenham, December 15, 1841, and *ibid.*, 151, Dom. Var., G. W. Hope to Viscount Canning, November 23, 1841.

⁹ *Ibid.*, 143, no. 6, Palmerston to Pakenham, February 26, 1841.

his spectacular feat of seizing and releasing the Port of Monterey, in the fall of 1842, that Pakenham bestirred himself to appoint a British agent there. The man appointed was James Forbes, who was to act as vice-consul, and who was to be subordinate to Barron, located at Tepic, on the Gulf of Lower California.¹⁰ These men now became the centre of British interest in California, although other sources of information were available, for it was in this same year that Sir George Simpson wrote his impressions of California and transmitted them in letters to officials of the British government.¹¹ Like Simpson, Barron and Forbes were confident that it would require but little activity on the part of the British government to secure California. Throughout 1843 their reports were numerous,¹² containing frequent and suggestive allusions to American designs upon California, and so, somewhat adroitly paving the way for a definite proposal. This, in 1844, Forbes was prepared to submit, although even here the proposal was again veiled in the form of a request for advice. This plan, originating with Forbes in September, was transmitted by Barron to Aberdeen on October 12, 1844, and it was received in London upon December 13, a date which it will be important to remember later in estimating the reply made by Aberdeen.¹³

On September 5, Forbes had reported to Barron the circumstances of an interview with a body of influential native Californians. These men asserted that the Mexican government had reached such a state of inefficiency that they were planning to revolt in order to

¹⁰ F. O., Mexico, 155, no. 120, Pakenham to Aberdeen, December 25, 1842. The appointment of Forbes was made immediately after Pakenham heard of Jones's act at Monterey. This act was reported by Pakenham in his no. 119, of the same date as the preceding.

¹¹ The most important of Simpson's letters were published in the number of the *AMERICAN HISTORICAL REVIEW* for October, 1908, and need not be expanded here. It is interesting to note that about the time of Simpson's letter, Ashburton, who was negotiating the Treaty of Washington, was writing of a hint made to him by Webster that the United States would yield somewhat in the Oregon matter, if Great Britain would acquiesce in the American occupation of California. Ashburton also expressed his disbelief in the value of California, for a long time to come, to the United States or any other power. Ashburton's letter is also of interest in view of Webster's later denial that he had ever made such a proposal, F. O., America, 379, Ashburton to Aberdeen, April 25, 1842.

¹² F. O., Mexico, 156, Admiral Thomas to Barron, Valparaiso, August 12, 1842; Barron to Aberdeen, December 7, 1842, and again December 20, 1842; *ibid.*, 161, Barron to Pakenham, December 20, 1842; *ibid.*, 165, Doyle to Aberdeen, December 30, 1843; *ibid.*, 167, Barron to Admiral Thomas, January 18, 1843; Barron to Aberdeen, April 15, and September 9, 1843; Forbes to Barron, October 19, 1843; *ibid.*, 179, Barron to Aberdeen, January 20, 1844.

¹³ *Ibid.*, 179.

establish an independent government. After describing all the evils which California had suffered under the misrule of Mexico, Forbes was asked "whether this country [California] can be received under the protection of Great Britain, in a similar manner to that of the Ionian Isles, but to remain for the present under the direct Govt. of one of its natives, though under the same form as the Govt. of that Republic". The reply of Forbes was that he was "entirely unauthorized" to enter into any such affair. The deputation assured him that their only desire at present was that he act as "an organ of communication with the English Government. If he would do this, his correspondents would quietly await until he should learn the pleasure of H. Majesty's Government." Forbes reported to Barron that he had been most careful not to compromise the English government in any way, and that he certainly would not meddle without authority, but he added:

I feel myself in duty bound to use all my influence to prevent this fine country from falling into the hands of any other foreign power than that of England. I repeat that it is impossible for Mexico to hold California for a much longer period, and if the Govt. of Great Britain can with honor to itself, and without giving umbrage to Mexico, extend its protection to California, reaping those benefits which by proper management, would infallibly attend that protection, I should presume that it would be impolitic to allow any other nation to avail itself of the present critical situation of California for obtaining a footing in this country.

In this connection, Forbes stated that there were several standing offers of French protection, giving as his authority the word of native citizens of California. He mentioned Du Morfras as being the agent in one of these offers of French protection, but added that at the time the offer was made the people were not so ready to act nor so united in sentiment as they now were. And Forbes also stated that if Great Britain was at all interested in the project of a colony upon the Pacific Coast no reasonable comparison could be made between Oregon and California, thus indicating that he, like Barron, thought that possibly an arrangement might be made by which British interests in Oregon could be exchanged for a position in California. Barron made no detailed comment upon this report but in transmitting it, he stated:

I shall of course caution him most earnestly not to interfere in any manner of way in the promotion or conduct of any revolutionary proceedings, and I am sure such will be his conduct. It is not for me to express any opinion on the subject of Mr. Forbes' despatch, otherwise than to say, that this fine country has been totally neglected by Mexico, and she must ere long see some other nation its protector, or in absolute possession of it.

In the light of later events the plan proposed to Forbes and reported by him to the British government may seem of no moment when compared with the energy displayed by the United States, but the incident is of the greatest importance in this account because the report of Forbes brought out the most direct and positive instruction given by the British government in regard to California throughout the eight years from 1838 to 1846. Before stating Aberdeen's reply, however, it is necessary to explain the conditions existing with regard to other Mexican interests at the exact moment when the report of Forbes reached the British Foreign Office. These conditions are peculiar, for the month of December, 1844, records a strange lapse in the otherwise consistent attitude regarding Mexican relations—a lapse which was strictly temporary (lasting less than a month) and wholly explainable. The situation was this: in the spring of 1844, after it became evident that the United States was actually planning for the annexation of Texas, Aberdeen became greatly exercised over the possibility of such an expansion of the American state. He sought in various ways to bring about an international situation which should prohibit such an annexation. He instructed Elliot, the British chargé d'affaires in Texas, to use all his influence against a Texan acquiescence in the projects of the United States.¹⁴ He urged upon Mexico the necessity of immediately recognizing the independence of Texas, in order that by some sort of joint diplomatic action, France, Mexico and Great Britain might guarantee the independence of the Texan state.¹⁵ The British ambassador at Paris, Lord Cowley, was active in securing French consent to this plan and supposed that he had so secured it.¹⁶ Pakenham, who was now the British minister at Washington, was instructed to act cautiously, yet with decision in the matter. The complete details of the negotiations, looking toward this end are too minute to be given here, but in substance it may be said that one element in the failure of the plan was the stupidity and obstinacy of Mexico, which could not bring itself to yield to British advice, and to recognize the independence of Texas. Time after time, acting under instructions from Aberdeen, Bankhead, the new British minister at Mexico, pressed upon Santa Anna the necessity for a prompt and speedy

¹⁴ F. O., Texas, 20.

¹⁵ F. O., Mexico, 172, no. 16, Aberdeen to Bankhead, June 3, 1844; F. O., America, 403, no. 25, Aberdeen to Pakenham, June 3, 1844; F. O., Mexico, 180, Domestic, report drawn up of interview between Aberdeen and Murphy, Mexican minister in London, May 29, 1844.

¹⁶ F. O., Texas, 20, copy of despatch, Cowley to Aberdeen, Paris, June 15, 1844.

recognition of Texas. The answer returned to him in every instance was that an army was now being gathered in Mexico for the immediate reconquest of that province.¹⁷ Neither Bankhead nor Aberdeen believed that Santa Anna really thought the reconquest of Texas a possibility, and Aberdeen was angered at the refusal to follow his advice and play Great Britain's game. In the summer of 1844, Pakenham reported his conviction that the United States, should it determine upon the annexation of Texas, would not be deterred therefrom, even by a threat of war by England and France.¹⁸ This report was decisive in its effect on Aberdeen's policy, for he had no desire to carry opposition to annexation to the point of war with the United States. Nevertheless, he had already gone so far in overtures to France and Mexico, that a formal withdrawal of the plan was not at once possible. On December 2, Cowley reported from Paris that France was becoming lukewarm in any project looking toward the guarantee of Texan independence.¹⁹ In the same week, there came from Mexico, a final report by Bankhead stating the utter impossibility of bringing the Mexican government to recognize the independence of Texas. The effect of all these changed conditions upon Aberdeen was an immediate change of attitude. Instead of using at least a threat against the American annexation of Texas, as had clearly been his intention earlier in the year, he turned against Mexico, and for some four weeks all his instructions to Bankhead indicate a determination to have nothing further to do with the defense of Mexican interests.²⁰ This was the situation, then, when Forbes's report reached London on December 13. Up to this moment, the honor of the British government had apparently been bound to a general support of Mexican authority and unity. Now, however, Aberdeen could argue that Mexico's obstinacy offered a sufficient excuse for taking advantage of Mexico's weakness, in case that weakness should bring profit to

¹⁷ F. O., Mexico, 174, no. 44, Bankhead to Aberdeen, June 29, 1844; *ibid.*, 175; nos. 65 and 62, Bankhead to Aberdeen, August 29, 1844.

¹⁸ F. O., Texas, 20, copy of despatch, Pakenham to Aberdeen, Washington, June 27, 1844.

¹⁹ *Ibid.*, 20, copy of Cowley's no. 568, to Aberdeen, Paris.

²⁰ For the purpose of showing the causes of Aberdeen's action in relation to California, it is sufficiently exact to specify December as the turning-point in Aberdeen's general policy toward Mexico and Texas, but a more detailed explanation of all this correspondence will show that it was Pakenham's despatch of June 27 that caused the change. After receiving it, Aberdeen was fearful that his diplomatic manoeuvring might actually result in a war with the United States. The final refusal of France, in December, to act with England, was a distinct relief to him, while the obstinacy of Mexico gave him the chance to throw all the blame on that state.

England without specific British attack upon Mexican territory. Aberdeen's reply to Barron bears date of December 31, 1844, and deserves quotation at length, since, as before stated, it is the most definite instruction upon California emanating from the British Foreign Office throughout the entire period:²¹

The present position of California is evidently very critical; and it appears to be pretty clear that unless the Mexican Government bestir themselves, an outbreak will in no long time take place in that Province, which may end in its separation from Mexico. Her Majesty's Government can have nothing to do with any insurrectionary movement which may occur in California; nor do they desire that their agents in that part of the world should encourage such movement. They desire, on the contrary, that their agents should remain entirely passive.

While California continues subject to Mexico it would be obviously contrary to good faith on the part of England to encourage a spirit of resistance or disobedience in the inhabitants of the Province against their Mexican rulers. It is therefore entirely out of the question that Her Majesty's Government should give any countenance to the notion which seems to have been agitated of Great Britain being invited to take California under her protection.

Her Majesty's Government do not pretend to determine as to the propriety of any step which may be taken by the inhabitants of California towards establishing their independence. In such matters no foreign nation has any right to interfere, except it be bound to such interference by Treaty with the Mother country; which is not the case with Great Britain. It is, however, of importance to Great Britain, while declining to interfere herself, that California, if it should throw off the Mexican yoke, should not assume any other which might prove inimical to British interests. It will therefore be highly desirable that at the same time that it is intimated to the persons of authority in California that the relations which exist between Great Britain and Mexico prevent us from taking part in any proceedings of the Californians which may have for their object the separation of that province from Mexico, those persons should be clearly made to understand that Great Britain would view with much dissatisfaction the establishment of a protectoral power over California by any other foreign state.

I do not think it necessary to enter into any speculative discussion or opinions as to the possible future course of events with respect to California, but confine my observations and instructions to the aspect of affairs, and occurrences of the present moment.

Upon the same day Aberdeen wrote to Elliot in Texas notifying him of the failure of his plan for a diplomatic intervention,²² to Bankhead to the same effect, and upbraiding Mexico for her acts,²³ to Admiral Seymour on the Pacific Coast,²⁴ instructing him to be-

²¹ F. O., Mexico, 179.

²² F. O., Texas, 9, no. 13.

²³ F. O., Mexico, 172, no. 53.

²⁴ Admiralty Secretary, In-Letters, no. 5544, Addington to Barron, December 31, 1844.

come more active in counteracting French designs upon the Pacific Islands; and again, a second letter to Bankhead in comment upon the letter just addressed to Barron, of which he enclosed a copy. This second letter to Bankhead stated even more clearly than that addressed to Barron the attitude now assumed toward Mexico, and in regard to the situation in California. In it Aberdeen summarized the weakness of the Mexican government, and acknowledged that the separation of California from Mexico was probably inevitable.²⁵ He then proceeded:

It is however for the Mexican Government alone to take measures for providing against such a contingency; nor have we any ground for interposing to preserve California to Mexico, or to prevent that Province from asserting its Independence. We have, undoubtedly, no right to excite or encourage the Inhabitants of California to separate themselves from Mexico; but if the Mexican Government chooses to be wilfully blind we should in vain attempt to enlighten them.

But it may be a matter of serious importance to Great Britain that California, if it shake off the rule of Mexico, should not place itself under the protection of any other Power whose supremacy might prove injurious to British Interests.

Although, therefore, national integrity forbids us to give encouragement to the spirit of insurrection against Mexico which has evidently struck such deep root in the minds of the Californians, and still less to countenance the suggestion submitted by some of the principal Residents to Mr. Forbes with respect to the contingent Protection of their Province by Great Britain, it is not any part of our duty to supply the want of energy exhibited by their Natural Rulers, or to dissuade their subjects from taking any course, which, under a sense of misgovernment, they may think proper.

You will therefore abstain from touching on this subject with the Mexican Govt. and if any observations respecting it should originate with the Heads of the Govt. or the Secretary of State, you will use great caution and treat the matter with as much reserve as courtesy will permit.

But on the other hand you will keep your attention vigilantly alive to every credible report which may reach you of occurrences in California, especially with respect to the proceedings of the United States Citizens settled in that Province, whose numbers are daily encreasing, and who are likely to play a prominent part in any proceeding which may take place there, having for its object to free the Province from the yoke of Mexico.

These many letters, all bearing the same date, indicate the importance of the shift in British policy, and that this was, so far as Mexico, California and Texas are concerned, a *new policy* from this moment. That it did not prove in the end to be a permanent policy was due to a rapid submission upon the part of Mexico and a re-

²⁵ F. O., Mexico, 172, no. 53.

sumption of former friendly relations with that state. Aberdeen was opposed as a man of honor, and as guarding the honor of the British government, to authorizing any British agent to perform an act that might tend to stir up a revolutionary movement in California. He was not, however, unwilling to accept the fruits of that revolution, if they should fortunately fall into British hands, and he was even willing to refrain from notifying the Mexican government that revolution in California was imminent. Such a passive policy was wholly inadequate to the situation. This was understood perfectly by British agents and by those close to affairs in that province. While awaiting the reply from Aberdeen, neither Forbes nor Barron ventured to take any decided step to secure British interests, though both became more and more fearful of the speedy acquisition of California by the United States. In spite of the expulsion of Micheltoreno by Castro, and of the incoming of numerous American emigrants, both men still thought a British protectorate could easily be secured, if Great Britain would but express her willingness to assume such a protectorate.²⁶ But with the receipt of Aberdeen's instruction, May 26, their hopes of a British protectorate in the near future had to be abandoned. They were seriously discouraged and were now to turn all their efforts toward supporting the Mexican government rather than toward encouraging the establishment of an independent government in California as the only means of thwarting American designs and of offering a faint hope of securing British interests.²⁷

The British agents in California therefore remained inactive, even largely ceasing to report conditions there, and it was not until Fremont arrived in the winter of 1845-1846, nearly a year later, that Forbes was stirred to further action. The presence of Fremont was to him sufficient evidence that something was about to be undertaken by the United States to secure California. Upon January 28, 1846, therefore, he addressed to Oliveria a protest against Fremont's presence "with Soldiers" in California, stating that²⁸

In obedience to the commands of Her Majesty's Government, it is the duty of the Undersigned to state clearly and distinctly to this Departmental Government that while Great Britain does not pretend to inter-

²⁶ F. O., Mexico, 185, Barron to Bankhead, April 8, 1845; *ibid.*, 189, no. 3, Barron to Aberdeen, February 18, 1845, enclosing a letter he had written to Admiral Seymour, January 28, 1845; and no. 5, Barron to Aberdeen, April 19, 1845, enclosing two letters received from Forbes, dated January 27 and March 10, 1845.

²⁷ *Ibid.*, 189, Forbes to Barron, October 24, 1845.

²⁸ *Ibid.*, 196, Forbes to Barron, January 30, 1846 (in Bankhead's no. 42).

fere in the political affairs of California, she would view with much dissatisfaction, the establishment of a protectorate power over this country, by any other foreign nation.

In assuming this authority to protest, Forbes clearly exceeded any authority given him from London, but he seems to have had no doubt as to the wisdom of his act nor as to the approval of the home government. In the meantime events were moving rapidly upon the Pacific Coast, and before the Foreign Office's reply could reach Forbes, Sloat had seized Monterey. Of this, the Foreign Office was, of course, ignorant. A copy of this protest reached London in May, and Forbes was immediately disavowed by Aberdeen. On June 1, Aberdeen instructed Bankhead that while Her Majesty's government would no doubt view with dissatisfaction the presence of Fremont in California,²⁹

... they do not in any way approve of a British Vice Consul taking upon himself, without instructions from his Superiors, to address the Authorities of the Province in which he is residing a formal diplomatic note like that under consideration. I have accordingly to desire that you will signify to Mr. Forbes that Her Majesty's Government do not approve of his late proceeding, and wish that he should in future be more cautious in his conduct.

The reproof thus administered to Forbes came too late to have any effect upon his acts in California during the summer of 1846. It is, however, clearly evident that Great Britain had no specific design or plan with regard to California, when her foreign minister could promptly disavow so trifling an evidence of British activity as was Forbes's protest.

While British official agents in Upper and Lower California were thus definitely prohibited from direct interference in the movements in the province, other and less authoritative suggestions were being made to the government of Great Britain looking toward its acquisition. Late in 1844, McNamara, an Irish priest, appeared at the city of Mexico and laid before Bankhead a scheme for the colonization of California by Irish emigrants.³⁰ Bankhead expressed a mild interest in the plan and reported it to Aberdeen. No comment whatever, nor even an acknowledgment of its receipt, was made by that official. A more definite proposal, drawn up in specific detail, and following in its main outlines the plan earlier proposed by Pakenham, was submitted to Bankhead in July, 1845,

²⁹ F. O., Mexico, 194, no. 16.

³⁰ *Ibid.*, 185, no. 52, Bankhead to Aberdeen, May 30, 1845. Bankhead did not report McNamara's scheme until some six months after it was first broached.

by Mackintosh, a British consul in Mexico.³¹ Business partners of Mackintosh in London were also interested in this plan, but here again, no interest was aroused at the Foreign Office, and no reply made either to Bankhead or to the promoters. Besides the proposals of Mackintosh and McNamara, there were many other suggestions from would-be statesmen, or patriotic dreamers. Nevertheless, it is true that the proposal of Pakenham and the report of Forbes are the only two communications that received careful consideration, or were officially met by the British government.

In spite, however, of the prohibition placed on British agents in California, and of the lack of interest in private schemes of colonization, it is still conceivable that secret instructions were sent to British admirals, of the purport of which British agents of merely consular rank would have no knowledge. The instructions to these admirals have always furnished matter for suspicion to American writers, and attempts have frequently been made to deduce from the movements of the British fleet instructions implying a plan by the British government to secure California. An examination of the letters to and from British admirals stationed on or near the Pacific Coast wholly negatives this suspicion and serves merely to emphasize the British government's lack of interest in California. During 1841-1842, Admiral Thomas, with headquarters at Valparaiso, wrote almost exclusively of the activities of the French in Tahiti,³² and the entire absence of any mention of California in his correspondence proves conclusively how absurd was Commander Jones's contention that one reason for the seizure of Monterey was a fear of British naval action. In 1843, this interest in the policy of France was greatly augmented. The French had seized the Friendly Islands, and Captain Paulet, of the British navy, took possession of the Sandwich Islands, where, however, native authority was very quickly restored under instructions from the British government.³³ In 1844, Admiral Seymour, now in command of the Pacific Squadron, was still primarily interested in the question of the control of the Pacific Islands. Gradually, however, as a result of somewhat urgent letters from Barron at Tepic, he began to manifest an interest in California. Still, Seymour had to obey orders, and his orders were to watch the

³¹ F. O., Mexico, 186, no. 74, Bankhead to Aberdeen, July 30, 1845. This plan is worked out in more careful detail than any other project submitted to the British government looking toward the acquisition of California.

³² Admiralty Secretary, In-Letters, no. 5512, Thomas to Admiralty Secretary, December 28, 1841. Also in same volume, Thomas to Herbert, April 23, 1842. No. 5538, Captain Nicholas to Thomas, November 10, 1843.

³³ *Ibid.*, Out-Letters, no. 1696, Secret, Addington to Barron, July 11, 1843.

French. This, in fact, was the substance of the instruction received by him from Aberdeen, bearing date of December 31, 1844—an instruction of the same date as the many instructions sent to other officials in Mexico and on the Pacific Coast.³⁴ Personally, Seymour never received any instruction directing him as to the policy he should pursue in regard to California, and for nearly a year he did not even know the contents of Aberdeen's instruction to Barron, of December 31, 1844. When finally he did receive a copy of that instruction, late in 1845, he perceived, as had Barron and Forbes, the purely passive policy imposed upon British agents. Earlier in 1845, he had been directed to proceed to the Friendly Islands,³⁵ and after some hesitation, because of his own feeling that the greater interest was in Oregon and California, he had gone to those islands by way of Honolulu.³⁶ It was not until December, 1845, that he again reached Valparaiso. Once arrived, he eagerly awaited new instructions as to Oregon and California, and at last, on March 6, 1846, addressed a letter to the Admiralty urging an increase of his forces in the Pacific.³⁷ This request was based on the belief that war with the United States was probable, and he specified the interests to be guarded in the following order: first, Oregon; second, "to observe the proceedings of the United States relative to California"; third, to protect British commerce on the Coast of South America; fourth, to attack the commerce of the United States. The greatest stress was laid on the defense of Oregon, and detailed plans were given of probable operations on that coast. Seymour's request was couched in very vigorous language, and made evident his constantly increasing anxiety with regard to a recent increase of the United States naval force in the Pacific and the uncertainty as to what that might indicate. This anxiety was further shown by a letter from Seymour to the Ad-

³⁴ Admiralty Secretary, In-Letters, no. 5544, Addington to Barton (enclosing instructions to Seymour).

³⁵ *Ibid.*, no. 5554, Addington to Corry, March 5, 1845; Admiralty to Addington, March 6, 1845; Addington to Hamilton, March 8, 1845. Also, Out-Letters, no. 1646, Hamilton to Seymour, June 1, 1845, urging immediate departure for Tahiti to watch the French.

³⁶ Admiralty "Digest and Précis", 1845, no. 153 Y, letter from Seymour, July 3, stating that he cannot leave for Tahiti because of Oregon troubles, and letter of July 15, changing his decision and announcing his departure; Admiralty Secretary, In-Letters, no. 5561, Seymour to Corry, October 4, 1845. The "Digest and Précis" contains for each year abstracts of all Admiralty Correspondence with British Naval Officers. Because of the destruction of the greater portion of the letters themselves for this period the "Digest and Précis" furnishes almost the only available material for study.

³⁷ Admiralty Secretary, Out-Letters, no. 1696, Corry to G. Smythe, June 10, 1846, transmitting to Foreign Office Seymour's letter of March 6.

miralty, on April 7, written from San Blas, in which Seymour confessed that he had no knowledge of the whereabouts or intentions of Commodore Sloat, but suspected him of some movement toward Oregon.³⁸ No reply was received by Seymour to any of these letters or requests previous to the actual seizure of Monterey by Sloat.

Shortly after this, early in May, Seymour sent Captain Blake with the *Juno* to California. Blake's action upon the Californian coast is well known and needs no comment here. He took Forbes on board his ship and sailed to southern California, where interviews were held with Pico, but both Blake and Forbes reported that in accordance with the instructions of Aberdeen they had limited themselves, strictly, to advising Pico that he should not permit California to accept a protectorate from any foreign state.³⁹ Meanwhile, Seymour, who was becoming daily more anxious for instructions, wrote on June 13 to Bankhead, the British minister at Mexico, that he had received information that the people of California were about to hold a convention at Santa Barbara to separate from Mexico and to seek protection from some other power.⁴⁰ This movement, Seymour was informed, had originated in northern California, where partisans of the United States were strong. Here he stated:

I have little doubt that I shall find the object of that power will be obtained, either by voluntary subjection on the part of the Inhabitants, or by the United States having taken possession of the Principal Port, in consequence of the recent hostilities with Mexico. Having however detached the "*Juno*" last month with instructions to Capt. Blake, if the Inhabitants of California declared their independence of Mexico, to endeavor to induce their leaders not to place themselves under the control or subjection of any Foreign Power, I think it my duty to call at Monterey to ascertain if the Inhabitants should have come to any resolution, which will facilitate the maintenance of their independence. My expectation is entirely to the contrary; but if the connection with Mexico, which appears to have been one of the principal causes of the non-interference of Her Majesty's Government shall have been removed, it seems desirable to ascertain the state of affairs, before it is acknowledged to be irremediable.

On the same day Seymour wrote to the Admiralty in much the same terms: ⁴¹

³⁸ Admiralty Secretary, In-Letters, no. 5561.

³⁹ *Ibid.*, no. 5562, Blake to Admiralty, August 3, 1846, enclosing two letters written by him to Seymour on July 5 and July 17; F. O., Mexico, 198, Bankhead's no. 112, enclosing two letters from James Forbes to Alexander Forbes, July 9 and 14, 1846. The first letter was written just after the trip of Forbes and Blake to see Pico; the second, when Forbes heard of Sloat's action. Alexander Forbes was acting as consul at Tepic during Barron's absence.

⁴⁰ F. O., Mexico, 197, in Bankhead's no. 91.

⁴¹ Admiralty Secretary, In-Letters, no. 5561, Seymour to Corry.

I have not, after the reports made by Captain Gordon and others to me, of the state of affairs on that coast, judged it advisable to proceed there, under the views expressed by the Earl of Aberdeen to Her Majesty's Minister in Mexico, deprecating interference, while California formed a part of the Mexican Republic; I however (as I have already reported) sent the *Juno* to Monterey and San Francisco on the 11th of May, with instructions to ascertain the Security of British Subjects, and observe what was passing.

I also directed Captain Blake, in the event of California declaring or having declared its Independence of Mexico, to use any influence he could obtain to counteract any inclination on the part of those in Authority to place themselves under the Exclusive Control or Protection of any Foreign Powers, without the participation of Great Britain; and gave him copies of Lord Aberdeen's Letters, (which I had procured since my arrival on this Coast) of the 31st of December, 1844, to Mr. Bankhead and the Consul at Tepic, of the same date, for his information.

This contingency having occurred while I remain on the Coast, I deem it right, although I can form no very favorable anticipations of a satisfactory result, to proceed to Monterey, and ascertain the actual state of affairs; and it is my intention to sail from San Blas, for that purpose, this evening.

It is noteworthy that Seymour's indicated reason for the trip to Monterey is quite different from the one given after his arrival and the discovery of Commodore Sloat in possession. By the wording of Seymour's letter to the Admiralty, it is, however, positively certain that no instruction whatever had been received by him or by the Consular Office at Tepic subsequent to Aberdeen's instruction of December 31, 1844, and it is therefore clear that Seymour was greatly hampered by the lack of more positive and recent instructions from London. Following the tenor of Aberdeen's despatch of December 31, 1844, he was certainly limited to urging upon the people of California the maintenance of their independence, and there can be no doubt that he confined himself to this in the instructions which he gave to Blake. Blake's actions did not go beyond this in any respect. Seymour left on the 14th for Monterey, where, upon finding Sloat in authority, he gave out a statement to the effect that he had merely called at the Port of Monterey on his way to the Sandwich Islands. His report to Bankhead on July 22 is very brief and contains no comment or reflection on the United States.⁴² In the light of Seymour's expressions earlier in the spring of 1846 and his request for an addition to his force on the Pacific, there can be no doubt that he personally hoped to see some step taken toward the acquisition of California. In this, he was much of the same mind as other British agents. His letters reveal that he was more

⁴² F. O., Mexico, 198.

anxious for such an opportunity than he was afterwards willing to confess. Nevertheless, neither he nor any other British agent felt free to undertake active operations to secure California to Great Britain, and all that can be said is that they were hoping for some fortunate chance that might permit them to forestall American plans while yet they observed the purely passive attitude directed by Aberdeen.

The fact that the government of Great Britain had very slight interest in California at this moment is seen in the answer given to Seymour's request for an increase of his force upon the Pacific. The official reply was prepared and forwarded at a time nearly identical with United States' seizure, but in complete ignorance of that fact. The Admiralty transmitted the request to the Foreign Office, accompanying it with a statement that in case Aberdeen really wished to have a larger force in the Pacific the ships necessary for such increase would have to be taken from the home force, and in that event the naval force at home would be reduced below the power of the French.⁴³ On this ground, the Admiralty objected to the granting of Seymour's request, unless the government was willing to find the money for an increase of the home force. In this connection, the Admiralty brought out the necessity of occupying at least two points on the Pacific—"one selected with reference to the French at Tahiti; the other with reference to the position the Americans are taking up on the N. W. Coast of No. America". This letter clearly proves that so far no instructions had been sent out by the Admiralty for the occupation of Pacific ports, and if not sent by this time it is also evident that they would not be sent at all. The Foreign Office reply to the Admiralty shows that Aberdeen had no fear of war, and hence was not in sympathy with the demand for an increase of force upon the Pacific.⁴⁴ On June 19, Addington wrote:

The proposition of Sir George Seymour for an increase of force appears to Lord Aberdeen to be entirely founded upon the supposed probability of War with the United States, or with France, or with both Countries. Lord Aberdeen does not pretend to judge what amount of force may be requisite in the Pacific for the general interests of the service: but if any material change should now be adopted, it ought, in his Lordship's opinion, to be the result of views of the policy which may be at present entertained by Her Majesty's Government upon this subject. Lord Aberdeen considers that whatever reasons may exist for rendering an addition of force necessary, the chance of war ought not to be taken as one, for of that he sees no probability.

⁴³ Admiralty Secretary, Out-Letters, no. 1696, Corry to G. Smythe, June 10, 1846.

⁴⁴ *Ibid.*, In-Letters, no. 5568, Addington to Corry, June 19, 1846.

This brief quotation from the Foreign Office reply to the Admiralty contains the substance of the entire letter. Its tone indeed indicates surprise that the Admiralty should ask for any large increase of force in the Pacific.

But one further incident concerned with English action in California requires mention. Although, after 1842, there were repeated rumors that Mexico had directly offered to sell or transfer California to Great Britain, the evidence already presented in this article furnishes sufficient proof of the falsity of those rumors up to 1846. More direct testimony is, however, furnished when at last the offer was actually made. In the first months of 1846 little attention was paid at Mexico to what was taking place in California,⁴⁵ but when war with the United States apparently became unavoidable anxiety rapidly developed as to the fate of California, and a plan was brought forward to place that province in the hands of Great Britain. After some preliminary interviews, Paredes, the Mexican president, officially proposed to transfer California to England as security for a loan.⁴⁶ This offer was made in May, 1846, and in reporting it to Aberdeen, Bankhead stated that: "It is an indirect offer of sale, and it is the first time that any such offer has ever been hinted at from a responsible authority."⁴⁷ This testimony is important in view of the persistent rumors of earlier offers. Bankhead was careful not to express any opinion to Paredes of the probable action of the British government, and in transmitting the matter to Aberdeen indicated doubt as to its importance. He did transmit it, however, and at the same time Paredes instructed the Mexican minister in London to press the affair officially. It is perhaps conceivable that such an offer, if made two years earlier, might have received some consideration by Aberdeen, but the time had gone when any such scheme was feasible, even if Great Britain had been favorable to it. Bankhead's despatch of May 30 containing the offer reached London shortly after a governmental political change, and it fell to Palmerston, who was again at the Foreign Office, to answer it. This letter, dated August 15, shows the new ministry adopting without material change the policy of the pre-

⁴⁵ Bankhead's interest was at this time greatly aroused by proposals, or suggestions, unofficially made by Mexicans of prominence that a solution of Mexican difficulties might be found in an overthrow of the republic and the establishment of a monarchy under a European prince. Bankhead was much attracted to the idea, and Aberdeen expressed friendly interest. The suggestion was not new, for similar plans had been in the air even as early as 1837, and even specified an *Austrian* prince.

⁴⁶ F. O. Mexico, 197, no. 73, Bankhead to Aberdeen, May 30, 1846.

⁴⁷ *Ibid.*

ceding government toward Mexico and the Californian question.⁴⁸ Palmerston wrote:

If the Mexican President should revert to the above proposition you will state to His Excellency that Her M^ts. Govt. would not at present feel disposed to enter into any Treaty for the acquisition of California: and the more so, because it seems, according to recent accounts, that the Mexican Govt. may by this time have lost its authority and command over that Province, and would therefore be unable to carry into effect its share of any arrangement which might be come to regarding it.

The incident had in truth no direct bearing upon the question of British plans in regard to California, for the offer did not come until long after British policy was definitely determined. The importance of the facts just cited lies rather in the proof furnished that but one offer of sale was ever made by Mexico, and that not until May, 1846.

The preceding account drawn from the available English documents in the Record Office is intended as a presentation of the most essential part of the evidence bearing upon the interests and intentions of Great Britain toward California. In estimating the extent of that interest and intention, it must always be borne in mind that at this time Great Britain had exactly as much right to acquire the province of California as had the United States or any other power. The possessor of the territory was Mexico, and Mexico alone had legal right to the country. When Americans made up their minds to occupy this province, and took steps to secure it, they had no more claim to it than had British citizens. This fact is sometimes lost sight of, or is clouded by American writers. With them, the existence of any plan in the mind of a British agent upon the coast was in itself an offense against so-called rightful American claims. The idea is, of course, absurd. The plan of Forbes to acquire California is in itself no more blameworthy than the plan of the American consul, Larkin. In the same way, a plan put forward by the British government would have been no more blameworthy than that originated by the American government. In fact, however, it has been shown that no such plan by the British government ever existed. Restating again, briefly, the general results of this investigation, it is shown that there was a genuine and lively interest among British agents in securing California for England, if possible, and secondly, that these agents acted wholly without instructions to this effect from their government, and were ultimately either checked or reproved for such slight openings as were made by them.

⁴⁸ F. O., Mexico, 194, no. 4.

The lack of British governmental interest in California was due to a variety of conditions, among which may be specified as of first importance general indifference to colonial expansion under any circumstances; lack of positive information about California; the relations with Mexico; and lastly and most important of all, the peculiarities of the Texas question, for here, in reality, lay the key to the whole situation. The only departure from the attitude of British governmental indifference toward California is noted in Aberdeen's instruction of December 31, 1844. This instruction was purely spasmodic and temporary, was the result of a momentary irritation with Mexico, and even it was of such a nature as to discourage British agents. The theory of an active British governmental design upon California is then wholly without foundation.

EPHRAIM D. ADAMS.

DOCUMENTS

I. Texts of Columbus's Privileges

It is well known that, for precautionary reasons, Columbus caused several codexes, or chartularies, to be compiled, each containing transcripts of certain grants of privilege, conferred upon him by Ferdinand and Isabella.

An examination of one of these codexes not hitherto described in print,¹ and a partial collation of the text of the several volumes, has led to some new conclusions regarding the history of this book. Two of the manuscripts are well known—(a) the Genoese codex, printed by Spotorno in 1823, in the *Raccolta di Documenti e Studi pubblicati dalla R. Commissione Colombiana*, part II., volume II., in 1894, and in other editions, and published in facsimile in 1893, and (b) the Paris codex, published in facsimile in 1893 under the editorship of B. F. Stevens, with a comprehensive introduction by H. Harrisse. Besides these, there are (c) the Providence codex, containing selections and extracts from the complete codex, and briefly described in Thacher's *Columbus*, II. 564–565, note, and in the introduction to the edition of the Genoese codex in the *Raccolta Colombiana*, pp. xvii–xix, and printed in the appendix to the latter volume; (d) the Washington or Florentine codex, purchased in Florence in 1818 by Dr. Edward Everett, for many years virtually lost, but acquired from Dr. William Everett by the Library of Congress in 1901, of which some account is given by Mr. Wilberforce Eames in a note in Thacher's *Columbus*, II. 562–564, and by Mr. Herbert Putnam in *The Critic*, XLII. (1903), 244–251; and (e) a codex of earlier date than any of the others, which was exhibited at the Columbian Exposition in Chicago among the manuscripts of the Duke of Veragua, and of which the Library of Congress possesses photographic copies. The following note relates chiefly to the Washington and Veragua codexes.

From the data in the Genoese and Paris codexes, it has naturally been concluded that Columbus's Book of Privileges was first compiled in the early part of the year 1502, shortly before his fourth voyage. These two codexes are in several parts—documents one

¹ It is, however, mentioned in Mr. Herbert Putnam's article, "A Columbus Codex", in *The Critic*, XLII. (1903), 246; 248.

to thirty-five, authenticated by the alcaldes and notaries on January 5, 1502, and described by the editors as the codex proper; the thirty-sixth document, the Bull of Demarcation of May 4, 1493, which follows the first notarial authentication; documents thirty-seven to forty, inclusive, separately authenticated by the notaries on March 22, 1502; and, finally, a few miscellaneous documents of no legal value and unauthenticated.

There can be no doubt that the Washington codex was compiled at about the same time as the Genoese and Paris codexes. On the dorse of the second vellum folio of the Washington codex is the statement:

Este es traslado de dos escripturas escriptas en pergamino de cuero, la una abtorizada, de ciertas cedulas é cartas é titulos del Almirante de las Yndias ante ciertos alcaldes é firmadas é sygnadas de Martin Rodriguez, escriváno publico de Sevilla.

This is a transcript of two writings written on parchment, one of them authorized, of certain cedulas and letters and titles of the Admiral of the Indies before certain alcaldes, and signed and rubricated by Martin Rodrigues, public scrivener of Seville.

That the two parchment writings mentioned are the Genoese and Paris codexes, appears from a collation of texts. A comparison has been made of the various texts of the Bull of Demarcation of May 4, 1493, in the three codexes with the following: (a) the text as given, in part, in facsimile in *Autógrafos de Cristóbal Colón* (opp. p. 20), published by the Duchess of Berwick and Alba in 1892, (b) as reproduced from the Vatican register in Heywood's *Documenta Selecta é Tabulario Vaticano* (1893), and (c) as printed in Navarrete's *Coleccion de Viages*, II. 28 ff., and elsewhere. The bull published by the Duchess of Berwick and Alba, who reproduced only a little more than one-third of the document, belonged to Columbus.² Like the texts in the Genoese and Paris codexes it is prefixed by a certification from the Bishop of Barcelona, and in several of its readings it agrees with the texts of the three codexes, while differing from the Vatican register, Navarrete, Solorzano (*De Jure Indiarum*, I. 610), and other texts. It is evident that it was from the Alba bull or from a closely similar text that the texts in the Genoese, Paris and Washington codexes were, either immediately or mediately, derived. It appears further that the text in the Genoese codex most closely resembles this original, that the deviations from this original in the Genoese manuscript are

²For an account of this document see the *Raccolta Colombiana*, part I., vol. II., p. clxxiv.

reproduced in the Paris codex, and that both these and some further deviations, original to the Paris manuscript, are followed in the Washington codex. The lineage of that portion of the codexes containing the bull seems clear. From the Genoese codex was derived the Paris codex, and from the Paris codex, the Washington codex. A few illustrations of the variant readings may be selected from a large number of instances, all pointing to the same conclusion. References are to the pages and lines of the text of the Genoese codex as printed in the *Raccolta Colombiana*, part II., vol. II.

P. 77, line 36, *Saracenorum* in the Register, Navarrete, and elsewhere and in the Alba bull, becomes *Sarraceno &* in the Genoese, Paris and Washington codexes; p. 77, l. 37, *immerito* in the Register, Navarrete, and elsewhere, becomes *merito* in the Alba bull and in the three codexes; p. 78, l. 9, *utique dignum et* in the Register, Navarrete, and elsewhere, becomes *itaque dignum et* in the Alba bull, and *itaque et*, with *dignum* omitted, in the three codexes; p. 78, l. 18, *bonis moribus* in the Register, Navarrete, the Alba bull, and the Genoese codex, becomes *moris bonibus* in the Paris and Washington codexes; p. 79, l. 22, *districtius* in the Register, Navarrete, Genoese and Paris codexes becomes *discriptius* in the Washington codex; p. 79, l. 18, the eight words following *doctos* which are included in the Register, Navarrete, and the Genoese codex, are omitted in the Paris and Washington codexes.

In other documents in the Washington codex, however, are readings that resemble the Genoese rather than the Paris codex. Thus the Washington and Genoese codexes include the words *que á ello fueron presentes* (*Raccolta*, p. 9, ll. 8-9), which are omitted in the Paris codex. *Señor* in the Washington and Genoese codexes (*Raccolta*, p. 13, l. 12) is *Salvador* in the Paris codex. In general, the readings of the Genoese and Paris codexes, so far as examined, are far more frequently alike than the readings of either of these and of the Washington codex, which seems to have been more hastily copied.

It is thus shown by a collation of texts that a portion at least of the Washington codex was copied from the Paris codex. Other portions may have been copied from the Genoese codex. The title-page states that the book is a transcript of two parchment codexes.

The date of the Washington codex is thus approximately determined. One of the other two parchment codexes was sent to Genoa before April 2 of that year; the other parchment codex was left at Cadiz to be carried to Genoa before Columbus sailed

on his fourth voyage in May, 1502. Therefore the Washington codex, if transcribed in Spain, which seems certain,³ dates from the early part of the year 1502.

As regards its contents, the Washington codex includes less than those of Genoa and Paris. Documents one to thirty-five, known as the "codex proper", are in the same order in the Washington codex as in the other two chartularies. The Bull of Demarcation, which is the thirty-sixth document in the other volumes, is the first document written on the vellum folios of the Washington codex. The documents after the thirty-sixth are lacking.

The Washington codex, however, includes one document not found in any of the other codexes and of great interest.

It is written on paper and bound in the codex at the beginning. The handwriting indicates that it was copied at the same time as the rest of the book. It is the bull of September 26, 1493, by which the pope extended "the field of maritime discoveries in favor of Spain as far as the regions in the East, including India". Of this bull HARRISSE says: "It is known at present only by a Spanish translation, made August 30, 1554."⁴ Searches in the Spanish archives and in the Vatican and Lateran failed to bring it to light. In a work published in Latin in 1629 by the Spanish author SOLORZANO, the Latin text of the bull was indeed printed,⁵ but HARRISSE and other historians have supposed that this text was only a Latin translation of the Spanish copy of 1554.⁶ A comparison of the bull in the Washington codex with SOLORZANO's version shows, however, that that author printed the original Latin text, since the bull as he prints it corresponds precisely with that in the Washington codex. One further important peculiarity of the Washington volume is that the notarial rubrications and the authentic signatures of the *alcaldes* and notaries are lacking. The probable reason for this will be given later on.

The Veragua codex has not received more than the briefest mention in print. It is not referred to in the volumes containing the Paris and Genoese codexes, or even in the chapter on the Book

³ Evidence of this is the use of the Spanish language in some passages not in the Genoese and Paris codexes, *e. g.*, the statement already quoted from the dorse of the second folio, and other passages cited in Mr. EAMES's note in THACHER's *Columbus*, referred to above. The presence of the bull of September 26, 1493, indicates a Spanish origin. Except for the lack of notarial rubrications the handwriting and general appearance of this codex is very similar to the other two.

⁴ HARRISSE, *Diplomatic History of America*, p. 64.

⁵ *De Jure Indiarum*, I. 613-614.

⁶ HARRISSE, *op. cit.*, p. 173.

of Privileges in the second volume of J. B. Thacher's *Columbus*. The latter omission is surprising, since in the same work, Mr. Thacher reproduces in facsimile or in type a large number of documents from the Veragua archives, exhibited at the Columbian Exposition.⁷

A superficial examination of the Veragua codex discloses many important differences from other texts, which throw new light on the history of the codex, and help to explain the order in which the documents are entered in the book.

The codex opens thus:

[Folio 1r.] Este es traslado de una çedula del Rey e dela Reyna nuestros Señores escripta en papel é firmada de sus Reales nonbres e así mesmo de una escriptura escripta en papel é firmada é signada de escrivano é [notario publico] segund que por ella paresçia. Su thenor delo qual uno en pos de otro este que sesigue.

This is a transcript of a cedula of the King and Queen, our Lords, written on paper and signed with their royal names; and likewise of a document written on paper and signed and rubricated by the scrivener and notary public, as appears thereby. The tenor of which, one after the other, is as follows.

Immediately following is the document which also stands first in the Genoese and Paris codexes, and second in the Washington codex, a letter from the Spanish sovereigns to Ferdinand de Soria, Lieutenant of the High Admiral of Castile, dated April 23, 1497, and an authenticated copy of the privileges and charters relative to the office of High Admiral of Castile. The text of this document, without the introduction which we have quoted above, is also printed in Navarrete, *Viages*, I. 355 ff. In the Veragua codex, the document has this ending:

[Folio 7v.] Este traslado fue sacado é conçertado con la dicha çedula de sus altesas é escriptura oreginal donde fue sacado ante los escrivanos publicos de Sevilla que lo firmaron é signaron de sus nonbres en testimonio en la çibdad de Sevilla.

Este traslado fue corregido é conçertado con la dicha çedula original de sus altesas é escriptura original onde fue sacado ante los escrivanos publicos de Sevilla que lo firmaron é signaron de sus nonbres en testimonio en la dicha çibdad de Sevilla quinze dias del mes de março año del nascimiento de nuestro Salvador Jhesu Christo de mill é quatroçientos é noventa é ochos años. . . .⁸

Yo Diego dela Bastida escrivano de Sevilla so testigo deste traslado. []⁹

⁷ See volume III., ch. cxxi., and appendix. Many documents from the Veragua archives are also reproduced in the *Raccolta*, in facsimile or otherwise.

⁸ Here follow certain corrections.

⁹ The notarial sign is made here.

Yo Johan Fernandes escrivano de Sevilla so testigo deste traslado.
[]⁹
E yo martin Rodrigues escrivano publico de Sevilla fis escrivir este traslado é fis aqui mi sig[]⁹no é so testigo.

This transcript was taken from and collated with the said cedula of their highnesses, and the original document from which it was derived, before the public scriveners of Seville, who signed it and rubricated it with their names, in testimony, in the city of Seville.

This transcript was corrected and collated with the said original cedula of their highnesses and the original document from which it was derived, before the public scriveners of Seville, who signed and rubricated it with their names, in testimony, in the said city of Seville on the fifteenth day of the month of March in the year of the nativity of our Saviour Jesus Christ, one thousand four hundred and ninety-eight. . . .

I, Diego de la Bastida, scrivener of Seville, am witness of this transcript.

I, Johan Fernandes, scrivener of Seville, am witness of this transcript.

And I, Martin Rodrigues, public scrivener of Seville, have caused this transcript to be written and have made here my sign and am witness.

This ending does not appear in the other codexes, but, except the first four lines, it is given in Navarrete, *op. cit.*, I. 370.

The next folio, 8, begins as follows:

Enla muy noble é muy leal çibdad de Sevilla Sabado¹⁰ quinse dias del mes de março año del Nasçimiento de nuestro Salvador Jhesu Christo de mill é quatroçientos é noventa é ochos años estando dentro enlas casas donde posa el muy mag[nifico] Señor Don Christoval Colon Almirante mayor dela mar oceano viso rey é governador delas yslas delas Yndias é tierra firme por el Rey é la Reyna nuestros señores, é su capitan general dela mar que son en esta çibdad enla collaçion de Sancto Bartolome estando ay presente el dicho Señor Almirante y en presençia de mi Martin R[odrigues] escrivano publico dela dicha çibdad é delos escrivanos de Sevilla que a ello fueron presentes. É luego el dicho Señor Almirante presento ante los dichos escrivanos dos cartas de previlegios del Rey é dela Reyna nuestros Señores escriptas en pargamino de cuero é selladas con su sello de plomo pendiente en filos de seda a colores diversas é firmadas de sus Reales nonbres é de los del su consejo é de sus contadores mayores é de otros oficiales. É asi mismo otras cartas patentes firmadas de sus Reales nonbres é selladas con su cera colorada alas espaldas delas dichas cartas y otras çedulas de sus Altesas firmadas de sus Reales nonbres los quales dichos previlegios é cartas é çedulas seran de yuso escriptas é nonbradas. É por que dixo que si ellas oviese de llevar por la mar a las Yndias o a otras partes que se reçelava que por fuego o por agua o por otros casos fortuytos o

⁹ The notarial sign is made here.

¹⁰ Thus in the MS., but March 15, 1498, fell on Thursday.

llevandolas gelas fortaria[n] de que su derecho pereçeria y sus altesas serian deservidos por que los dichos previlegios é cartas é çedulas rellevan al servicio de sus altesas. Porende dixo que pedia e pidio a nos los dichos escrivanos que sacasemos un traslado o dos o mas delos dichos previlegios é cartas é çedulas corrigiendolos conlos dichos originales bien é fielmente en maña que fisiese fee, para guarda de su derecho del sobre dicho señor Almirante, los quales dichos previlegios é cartas é çedulas uno en pos de otro son estos que se siguen.

In the most noble and most loyal city of Seville, Saturday, the fifteenth day of the month of March, in the year of the nativity of our Saviour Jesus Christ one thousand four hundred and ninety eight, being within the house where dwells the very magnificent Lord Don Christopher Columbus, high admiral of the ocean, viceroy and governor of the islands and mainland of the Indies, for the King and Queen our lords, and their captain general of the sea, which [house] is in this city, in the parish of Saint Bartholomew, the said Lord Admiral being there present, and in the presence of me, Martin Rodrigues, public scrivener of the said city, and of the scriveners of Seville who were present for that purpose, thereupon the said lord admiral laid before the said scriveners two letters of privileges of the King and of the Queen, our Lords, written on parchment and sealed with their seal of lead, hanging by threads of silk of different colors and signed with their royal names and with those of their council and of their accountants, mayors, and other officials. And likewise other letters patent, signed with their royal names and sealed with their colored wax on the back of the said letters and other cédulas of their highnesses, signed with their royal names, which said privileges and letters and cédulas will be written and named below. And because he said that if he should have to carry them over sea to the Indies, or to other parts, that it was feared that by fire or by water or by other mischances, or by carrying them, that the documents might be taken from him, whereby his right might be destroyed and their highnesses might be disserved, because the said privileges and letters and cédulas concern the service of their highnesses. Wherefore he said that he asked us, the said scriveners, to make a transcript, or two, or more, of the said privileges and letters and cédulas, correcting them with the said originals well and faithfully, so that the transcript should obtain credence, for the protection of the right of the aforesaid Lord Admiral, which said privileges and letters and cédulas, one after the other, are as follows.

The above passage is to be compared with that with which the three principal codexes open (*Raccolta*, p. 9; Stevens, p. 10) and which, in the translation of Stevens's edition, is as follows:

In the most noble and most loyal city of Seville, Wednesday the fifth day of the month of January, in the year of the nativity of our Saviour Jesus Christ one thousand five hundred and two. On this said day, at the hour when Vespers are said, or a little before or after, being in the dwelling house of the Lord Admiral of the Indies which is in this said city in the parish of St. Mary, before Stephen de la Roca and Peter Ruys Montero, ordinary Alcaldes in this said city of Seville

for the King and Queen our Lords, and in the presence of me Martin Rodrigues, public scrivener of this said city of Seville, and of the undermentioned witnesses, did appear there present the very magnificent Lord Don Christopher Columbus, High Admiral of the Ocean, Viceroy and Governor of the Islands and Main Land, and laid before the said Alcaldes certain patents and privileges and warrants of the said King and Queen our Lords, written on paper and parchment, and signed with their royal names, and sealed with their seals of lead hanging by threads of coloured silk, and with coloured wax on the back, and countersigned by certain officers of their royal household, as appeared in all and each of them. The tenor whereof, one after the other, is as follows.

The introductory certification of the circumstances under which the Veragua codex was compiled, is followed by documents 2 to 25, entered in the same order as in the three later codexes. With the twenty-fifth document the codex was, temporarily, completed. The passage given below, which is not in the other codexes, comes immediately after the twenty-fifth document and is the conclusion of the certification, the beginning of which preceded document 2.

[Folio 33v.] Este traslado fue corregido é conçertado con las dichas dos cartas de privilegios é con las dichas cartas patentes é con todas las otras çedulas de suso enorporadas, originales onde fue sacado ante los escrivanos publicos de Sevilla que lo firmaron é signaron de sus nombres en testimonio que fue fecho é sacado en la dicha çibdad de Sevilla en el dicho dia é mes é año suso dicho . . . ¹¹

Yo Diego dela Bastida escrivano de Sevilla so testigo deste traslado. []¹²

Yo Johan Fernandes escrivano de Sevilla so testigo deste traslado. []¹²

É yo Martin Rodrigues escrivano publico de Sevilla fis escrivir este traslado é fis aqui mi sig[]¹²no é so testigo.

This transcript was corrected and collated with the said two letters of privileges, and with the said letters patent, and with all the other cedulas incorporated above, (the originals from which it was derived), before the public scribes of Seville, who signed and rubricated it with their names in testimony that it was made and copied in the said city of Seville, on the day and month and year aforesaid . . .

I, Diego de la Bastida, scrivener of Seville, am witness of this transcript.

I, Johan Fernandes, scrivener of Seville, am witness of this transcript.

And I, Martin Rodrigues, public scrivener of Seville, have caused this transcript to be written, and have made here my sign, and am witness.

This first stage in the compilation of the codex must have been finished before Columbus sailed on his third voyage, May 30, 1498;

¹¹ Some corrections follow.

¹² The notarial sign is made here.

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for, as will be shown, Columbus must have taken the manuscript with him.

The compilation of the codex shortly before the third voyage, instead of before the fourth voyage, as has heretofore been supposed, explains the selection of the documents contained therein. All the documents date from the year 1497. Documents 1 to 5, inclusive, confirm or confer the admiral's most important rights, document 6 consists of the instructions given to Columbus for his third voyage, and nearly all of the subsequent documents are orders, authorizations, licenses, etc., directly relating to the third voyage. Some are of a comparatively trivial nature, or are important only in relation to the coming voyage, and would scarcely have been included in a volume compiled *de novo* in 1502.¹³

The second stage in the growth of the codex was reached in Hispaniola, as is shown by the following passage, not in the other codexes, which immediately succeeds that last quoted, but begins a new folio, and is in a different hand.

[Folio 34r.] Enla villa de Santo Domingo que es enlas Yndias enla ysla Española martes quatro dias del mes de Disiembre año del nascimiento de nuestro Señor Jhesu Christo de mill é quatroçientos é noventa é ocho años estando dentro enlas casas donde posa el muy manifico Señor Don Christoval Colon almirante mayor del mar oceano viso rey é governador delas yslas delas Yndias é tierra firme por el Rey é la Reyna nuestros Señores é su capitan general dela mar que son en esta dicha villa de Santo Domingo estando ay presente el dicho señor almirante é en presençia de mi Diego de Alvarado escrivano publico del Rey é dela Reyna nuestros señores. É luego el dicho señor almirante presento ante mi el dicho escrivano algunas cartas patentes del Rey é dela Reyna nuestros señores escritas en papel é selladas con su sello de cera colorada enlas espaldas é otras çedulas de sus altesas firmadas de sus reales nonbres las quales dichas cartas é çedulas seran de yuso escriptas é nonbradas é por que dixo que sy ellas oviese de llevar o cubrar por la mar a los reynos de Castilla o a otras partes que se reçelava que por fuego o por agua o por otros casos fortituytos o llevandolas gelas fortarian de que su derecho pereçería y sus altesas serian deservidos por que las dichas cartas é çedulas relevanan al servicio de sus altesas, porende dixo que pedia é pedio a mi el dicho escrivano que sacase un treslado o dos o mas delas dichas cartas é çedulas corregie[ndolas] con las dichas oreginales byen é fielmente [en maña] que fesiese fe para guarda de su derecho del [suso] dicho señor Almirante las quales dichas cartas [é] çedulas uno en pos de otra son estas que se siguen.

In the town of Santo Domingo, which is in the Indies, in the island

¹³ For example, document 20, an order to the royal accountants to reimburse Columbus for sums lent by him to certain persons in the Indies; and document 25, a joint letter to the Bishop of Badajoz and Columbus regarding the purchase of provisions for the third voyage.

of Hispaniola, on Tuesday, the fourth day of the month of December in the year of the nativity of our Lord Jesus Christ, one thousand four hundred and ninety-eight, being within the house where dwells the very magnificent Lord Don Christopher Columbus, high admiral of the ocean, viceroy and governor of the islands and mainland of the Indies, for the King and Queen our Lords, and their captain general of the sea, which [house] is in this said town of Santo Domingo, being there present the said Lord Admiral, and in the presence of me, Diego de Alvarado, public scrivener of the King and Queen our lords, thereupon the said Lord Admiral laid before me, the said scrivener, some letters patent of the King and of the Queen, our Lords, written on paper and sealed on the back with their seal of colored wax, and other cédulas of their highnesses, signed with their royal names, which said letters and cédulas will be written and named below, and because he said that if he should have to carry or transmit [?] them, by sea to the kingdoms of Castile, or to other parts, that it was feared that by fire or by water or by other mischances, or by carrying them, they might be lost, whereby his right might be destroyed and their highnesses might be disserved, because the said letters and cédulas concern the service of their highnesses, wherefore he said that he asked me the said scrivener to make a transcript of two or more of the said letters and cédulas, correcting them with the said originals, well and faithfully, so that it should obtain credence for the protection of the right of the above-mentioned Lord admiral, which said letters and cédulas, one after the other, are as follows.

Immediately after this introduction come documents 26–29, which are also entered in the same order in the later codexes. Next follows the conclusion of the certification in these words:

[Folio 36v.] Fecho é sacado fue este traslado delas dichas cartas é cédulas originales de sus Altezas enla dicha villa de Santo Domingo martis quatro dias del mes de desienbre año del nascimiento de nuestro señor Jhesu Christo de mill é quatro çientos é noventa é ocho años. Testigos que fueron presentes a ver ler é conçertar las dichas cartas é cédulas oreginales con los dichos traslados, Pedro de Terreros é Diego de Salamanca é Lope Minos, las quales van çiertas é conçertadas.

É yo el dicho Diego de Alvarado escrivano é notario publico suso dicho presente fuy a todo lo que dicho es en uno con los dichos testigos é por mandado del dicho Señor Almirante estos traslados saque delas estas cartas é cédulas oreginales, las quales van çiertas é conçertadas é porende fis aqui este mio syg[]“no atal, en testimonio de verdad.

Diego de Alvarado notario publico.

This transcript of the said original letters and cédulas of their Highnesses, was made and extracted in the said town of Santo Domingo on Tuesday, the fourth day of the month of December, in the year of the nativity of our Lord Jesus Christ one thousand four hundred and ninety eight. Witnesses who were present to see, read and collate the said original letters and cédulas with the said transcripts:

Pedro de Terreros and Diego de Salamanca and Lope Minos. Which are genuine and in agreement.

¹⁴ The notarial sign is made here.

And I, the said Diego de Alvarado, scrivener and notary public, aforesaid, was present at all that which is aforesaid together with the said witnesses, and by command of the said Lord Admiral I copied these transcripts of these original letters and cédulas, which are genuine and in agreement; and therefore I have made here this sign in testimony of the truth.

Diego de Alvarado, notary public.

What circumstances led Columbus to enter these documents, 26-29, into the codex at this time? When he arrived at Santo Domingo at the end of August, 1498, a large party of the colonists under the leadership of Francisco Roldán were in rebellion against his brother the Adelantado. Negotiations with the rebels finally resulted in the signing of an agreement on November 17 and 21, after which the rebels left the neighborhood of Santo Domingo. Thereupon Columbus resolved to go on a tour of the island to settle affairs, which were in a very disturbed condition. For this purpose he left Santo Domingo towards the end of January, 1499, leaving the Adelantado to look after that place.¹⁵ It seems very likely that the preparation of an attested copy of his original charters was made in anticipation of this tour. Perhaps one set of documents was to be carried with him, while the other was to be left with his brother.

The documents 26-29, all date from 1493 or 1494, and bear directly upon the rights of the admiral in the Indies. The first is a mandamus addressed to all men in the Indies to obey Columbus as viceroy and governor of the same. With document 29, the Veragua codex ends, and the next additions to the codex were doubtless made in 1502.

It has long been known that four copies of Columbus's Book of Privileges were in existence in the year 1502; for this is stated in a unique passage at the very end of the Genoese codex. That passage is as follows:

Los originales destos privilegios, y cartas y cédulas y otras muchas cartas de Sus Altezas é otras escripturas tocantes al señor almirante, están en el monesterio de Sancta María delas Cuevas de Sevilla.

Otrosi esta en el dicho monesterio un libro traslado delos previlegios é cartas suso dichos, semejante que este.

Otro traslado levo este año de .MD.II. y tiene Alonso Sanches de Carvajal á las Yndias escripto en papel é abtorizado.

Otro treslado en pergamino tal como este.

The originals of these privileges, letters and grants, and many other papers of their Highnesses, and other writings respecting the said Admiral, are preserved in the monastery of Sancta Maria de las Cuevas in Seville.

¹⁵ F. Colombo, *Historia*, cap. 81; and Las Casas, *Historia de las Indias*, I., cap. 158.

In the said monastery there is also a book of transcripts of the fore-said privileges and letters, similar to this. Another copy was carried to the Indies in this year (1502) by Alonso Sanchez de Carvajal, written on paper and authorized. Another copy on parchment, the same as this.

The "other copy on parchment the same as this", has long been identified with the Paris codex.

It is no doubt true, as has been conjectured by Harrisse, that the Everett, now Washington codex, is to be identified with the copy deposited in the monastery of Las Cuevas. We have already seen that this copy differs from the other three in its lack of authentic signatures and notarial rubrics. But if this codex were to be kept *together with the originals* in the monastery of Las Cuevas, there was no need of these evidences of its authenticity.¹⁶

The copy taken by Carvajal to the Indies in 1502, is doubtless the same as the Veragua codex, likewise on paper¹⁷ and authorized. Carvajal sailed in February, 1502, before the other codexes were completed; but the Veragua codex was completed in 1498. The editors of the latest editions of both the Genoese and Paris codexes, published respectively in 1893 and 1894, state that only two of the four codexes are known to exist—that the other two are lost.¹⁸ It is strange that within so few years both these others should have come to light.

Still more surprising is it to find in the Library of Congress, in the collection of photographs already referred to as including the Veragua codex, photographs of the front and dorse of the original manuscript of the bull *Inter Caetera*, of May 3, 1493, issued from the papal chancery. Presumably, the document itself is in the archives of the Duke of Veragua, at Madrid. It has been supposed hitherto that none of the four bulls of 1493 connected with the discoveries of Columbus (*Eximiae Devotionis*, May 3, *Inter Caetera*, May 3 and 4, and *Dudum Siquidem*, September 26), was extant in its original, promulgated form. It has even been doubted whether the bull *Inter Caetera*, of May 3, was promulgated at all. Its existence was unsuspected until Muñoz discovered a copy of the text at Simancas, in 1797. Subsequently it was found entered on the secret register of Alexander VI., in the Vatican archives. But, in a paper

¹⁶ This and some other arguments for the identity of this codex with that preserved at Las Cuevas are given in Mr. Putnam's article and in Stevens's work.

¹⁷ The photograph clearly shows this.

¹⁸ Thus Harrisse writes (p. xvi), "Carvajal sailed from Spain on the 13th of February, 1502, taking with him the codex on paper. No traces of it have ever been found. The probability is that, on account of its texture, it was destroyed in the course of time by the worms and ants in St. Domingo."

on "The Lines of Demarcation of Pope Alexander VI.," read by Dr. S. E. Dawson before the Royal Society of Canada in 1899, and printed in their *Transactions* (second series, 1899-1900, volume V., section 2), it was argued with much plausibility that this bull had been suppressed, and Dr. Dawson refers to it repeatedly as "the unpromulgated bull".

Comparison of the photograph of the front of the document, here reproduced, with like reproductions of the same class of documents in palaeographic works such as Dr. L. Schmitz-Kallenberg's *Practica Cancellariae Apostolicae Saeculi XV. Exeuntis* (Münster, 1904) leaves no room for doubt as to the authenticity of the manuscript. The endorsement of the bull, *Registrata in camera apostolica*, also accords with the practice of the papal chancery. Of the two Spanish and obviously unofficial endorsements, one reads as follows: *Bula del papa Alexandro en que concede a los rreyes catholicos y sus successores todo lo que ganaren y conquistaren en las Yndias, es la data año MCCCCXCIII*. The other endorsement begins with the words, *Esta se emendo y esta la emendada*. . . . The last words, probably three in number, are undecipherable. The text is the same as that printed in Navarrete, *Viages*, vol. II., no. 17, pp. 23-27, from the transcript in the Simancas archives. Navarrete, however, stops with the date, omitting the words *Gratis de mandato sanctissimi Domini nostri pape*, and the names of the officials of the chancery: B. Capotius, D. Serrano, and L. Podocatharus, the pontifical secretary.

FRANCES G. DAVENPORT.

2. South Carolina Federalist Correspondence, 1789-1797

THE following letters, mainly written by William Smith to Gabriel Manigault and Ralph Izard, are printed from the manuscripts in the possession of Mrs. Hawkins Jenkins, Wantoot Plantation (Pinopolis), St. John's, Berkeley, South Carolina.

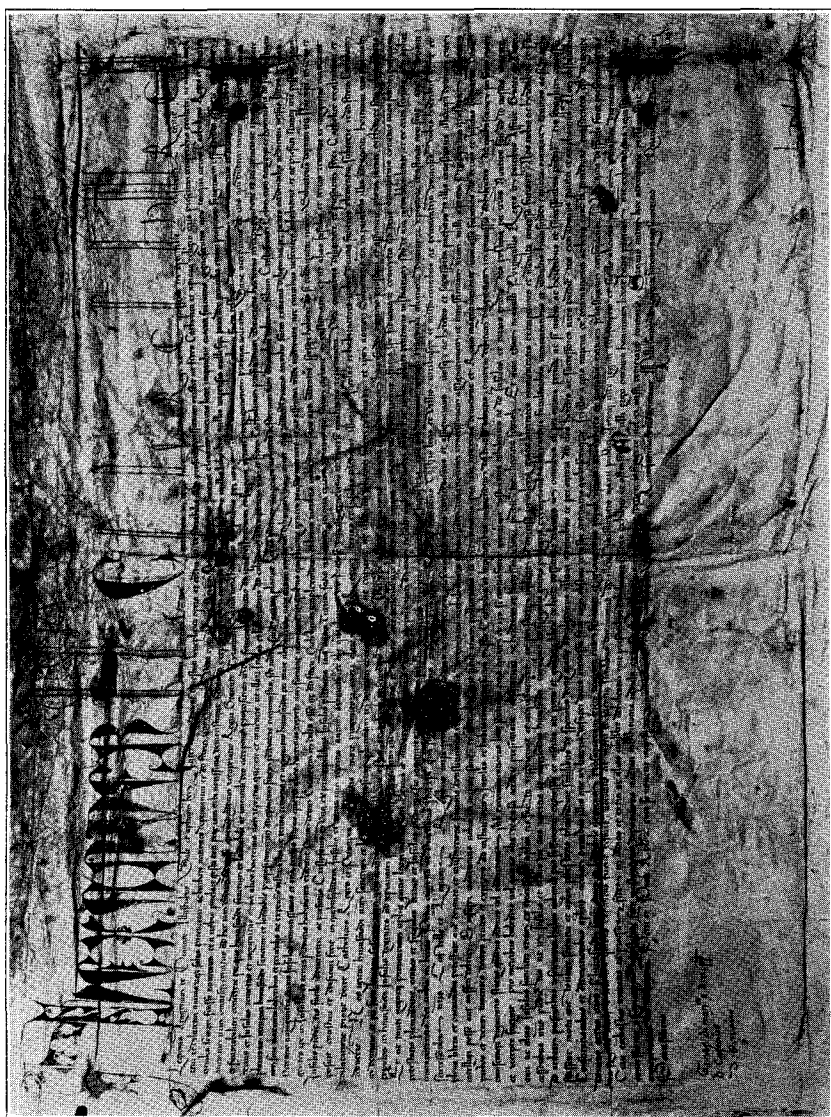
ULRICH B. PHILLIPS.

WILLIAM SMITH TO GABRIEL MANIGAULT.

NEW YORK June 7, 1789.

Dear Sir:

. . . Much harmony, politeness and good humor have hitherto prevailed in both houses—our debates are conducted with a moderation and ability extremely unusual in so large a body—consisting of men under the influence of such jarring interests coming from such different countries and climates and accustomed to such different manners. How long this delightful accommodation will continue is uncertain: I sincerely wish I shall never see it interrupted . . .



R. has given me battle on the plains of N. Y. after suffering a defeat at Charleston; I have fortunately given him as complete an overthrow here as I did there,¹ and I hope he will let me alone.

RALPH IZARD TO EDWARD RUTLEDGE.

NEW YORK 26th Sept. 1789.

Dear Sir:

I am just returned from the Senate where the following Officers have been approved of—Mr. Jay Chief Justice: Judges of the Supreme Court J. Rutledge, Cushing, Wilson, Harrison, and Blair. Edmund Randolph Attorney General, Major Pinckney² is appointed District Judge for South Carolina. The Judges both of the Supreme Court and the District Courts are chosen from among the most eminent and distinguished characters in America, and I do not believe that any Judiciary in the world is better filled. The President asked me before the nominations were made, whether I thought your Brother John, Genl. Pinckney,³ or yourself would accept of a Judge in the Supreme Court. I told him that I was not authorized to say you would not, but intimated that the office of Chief Justice would be most suitable to either of you: That however was engaged. Mr. Jay's Office has this day been filled by Mr. Jefferson, who is expected here soon from France. The home Department is added to it, and the name of the office changed. Mr. Jefferson is called Secretary of State. I hope it may suit your Brother to accept, if it should be only for two or three years; as it is of the first importance that the Judiciary should be highly respectable. The Office of District Judge I hope will be agreeable to Major Pinckney. If either of them should refuse to accept, let me know of it by the first opportunity, and tell me whom you wish to be appointed that will accept. The President will not nominate any but the most eminent: and if none in South Carolina of that description will accept, he will be obliged to have recourse to some other state. I write this letter in a hurry hoping that it may be in time to go by Capt. Freneau. Your son is above stairs drinking tea with the Ladies. I never saw him look so well. He is not absolutely fat; but as near it as you would wish him to be.

I am Dear Sir

Your most obt. Servt.

RA . . . IZARD.

RALPH IZARD TO EDWARD RUTLEDGE.

NEW YORK December 29th 1789.

Dear Sir

I have already written to you by this opportunity. Capt. Motley's being detained by contrary winds and bad weather gives me an opportunity of again urging you to procure and send me as soon as possible the sentiments of the members of the Legislature upon the subject of the adoption of our state debt by Congress. If a vote in favor of the measure could be obtained, it would put it in my power to speak with

¹ The allusion is to David Ramsay's unsuccessful contest of Smith's election to Congress.

² *I. e.*, Thomas Pinckney.

³ Charles Cotesworth Pinckney.

greater confidence than by being possessed simply of the opinions of individuals. I am fully persuaded that it would be of infinite advantage to our State if the measure should be adopted. I have written to Mr. John Hunter, the Member from Little River District on the subject. He is a man of whom I think well; perhaps it may be useful for you to confer with him. When I consider the great loss of time which for several years we have experienced in debating about indents, and many other circumstances which must occur to you, I do not think it possible that you should differ with me on this subject. I am extremely sorry however to find that my Colleague⁴ continues to do so, and I am told that some of our members in the House of Representatives are in sentiment with him. Congress will meet in a few days; but I think the business I have mentioned to you will not be decided until I receive an answer to this letter. Henry is well, is now with me; has this morning received your letter by Capt. Elliot, and says that he intends writing to you by him next week. This will probably find you at Columbia. I hope most sincerely that I may not be mistaken in thinking it will not be for the happiness of the people at large that the Legislature should continue to sit there. Remember me to all friends, and believe me

sincerely Yours etc

RA . . . IZARD.

WILLIAM SMITH TO GABRIEL MANIGAULT.

NEW YORK March 26, 1790.

Dear Manigault,

I am not surprised at your anxiety on the question respecting the assumption of the State debts; we are no less agitated about it and are apprehensive of the issue, tho we think it must finally take place; the opposition to it is considerable and the arrival of the North Carolina Members an inauspicious event, as they are expected to be against it. Two of them have taken their seats—one is very warmly opposed to it and the other doubtful—two others are daily expected. The Committee of the whole have agreed to it by a majority of five but should all the North Carolina members vote against us, the result will perhaps be fatal.

Some memorials from the Quakers and the Penylv^a. Society for the abolition of Slavery which were presented to our House have thrown us into a flame which is now fortunately extinguished after a considerable loss of time—two unmeaning resolutions have been passed to gratify the memorialists, (Who are much displeased with them by the bye) and we obtained an explicit declaration that Congress have no power to interfere with the emancipation of slaves. The Quakers are gone home much discontented and the House has been censured by the public for taking up the business.

WILLIAM SMITH TO GABRIEL MANIGAULT.

NEW YORK, Augt. 3, 1790.

Dear Manigault,

I have pleasure in congratulating you on the Assumption, a meas-

⁴ Pierce Butler.

ure not only beneficial to the U. S. and to So. Car. particularly, but to yourself personally, a circumstance which adds much to the satisfaction I have felt. Although we have not assumed to the full amount of each debt and have not funded the Debt at a full six per cent, yet, considering the very violent opposition to the measure we must be satisfied for the present with what has been done: at the next session in December we shall probably do more.

We shall adjourn in the course of a few days, as soon as we have past a Bill raising a revenue for the continental debt; this is intended to be by an addition to the impost; the Excise will be reserved for the State debts, the Interest on which will commence 1st Jan'y 1792,—a year after the other.

WILLIAM SMITH TO GABRIEL MANIGAULT.

PHILAD^a. Dec. 19, 1790.

Dear Manigault,

. . . The punctuality of the members has been such that we were within *one* of forming a quorum of both houses on the *first* day, a circumstance well worthy of note. We have today got over all preparatory ceremonies and shall now go seriously to work. I cannot foretell whether the Campaign will be a bloody one or not—it has opened with ominous circumstances; by taking the field at a season when other combatants go into winter quarters. Many of our Champions have from the combined inconveniences of tempestuous weather and bad roads met with terrible disasters in repairing to the Camp. Burke was shipwrecked off the Capes; Jackson and Mathews with great difficulty landed at Cape May and travelled 160 miles in a wagon to the City. Burke got here in the same way. Gerry and Partridge were overset in the stage; the first had his head broke and made his Entree with an enormous black patch; the other had his ribs sadly bruised and was unable to stir for some days. Tucker had a dreadful passage of 16 days with perpetual storms. I wish these little contretems may not sour their tempers and be inauspicious to our proceedings. Secretary Hamilton made his report this morning on the further support of public credit. He recommends an Excise as the most eligible mode of funding the State Debts; we are to consider this report Monday next. The Enemies to the Assumption will of course oppose this scheme and avail themselves of the Terrors of the Excise to make it obnoxious: but I believe we may be safe in relying on this fund; for the faith of the national Legislat^r. is pledged for the pay^t. of the interest of the State debts, and the Excise will be found on discussion to be the only source to which we can resort.

GEORGE CABOT TO RALPH IZARD (at Hartford, Connecticut).

BROOKLINE Aug^t. 19th 1794.

My dear friend

I was rejoiced to read in your own hand writing that you and Mrs. Izard are well and happy.

I am not so good a farmer as you wish me to be but am agreeably employed and shall improve my agricultural talents in good time.

The newspapers will show you that in this part of the country our

political character grows worse and that the combination of Fools with Knaves must eventually be too powerful for the friends of genuine liberty—jacobin principles are congenial with the feelings of the weak and the wicked, but the defence of order and good government without which there can be no equal liberty, requires capacity, integrity and the sacrifice of personal ease.—You will perceive readily that I am as much out of humour as ever. I am so desponding that I cannot be useful and if it were not for a strong sense of obligation to others I shou'd certainly resign my public employment.

I look forward however with satisfaction to the period of my service and with some secret hopes that I may without impropriety end it in another session. Mrs. Cabot requires me to assure you and Mrs. Izard of her most affectionate sentiments toward your family in which I pray you to unite your sincere

and faithful friend
GEORGE CABOT.

WILLIAM SMITH TO RALPH IZARD.⁵

PHILAD. May 18th, 96.

Dear Sir:

The Senate have resolved not to admit the State of Tennessee at present; but to lay out the Territory into a State by act of Congress and order the Census to be taken by federal Authority, the return to be made to the President, who will cause a new Convention to be held and other proceed^{es}, preparatory to their admittance at the next session. Langdon was sent for on that account, and I believe to assist at a caucus about Vice President: it seems the party are at a stand on that point: the persons in nomination are Burr, Langdon, Butler and Chan^r. Livingston; the latter is said to stand highest having gained much reputation in Virginia by *Cato* against the Treaty. Butler, they say, they have no objection to except being a Southern man and as Jefferson is to be President, it won't do:—Burr, they think unsettled in his politics and are afraid he will go over to the other side: Langdon has no influence etc.

Our side are also unsettled. Some think that the run will be for Adams or Jefferson as President and as they will be the two highest, and neither will serve as Vice P. there will be *no Vice P.*: this will probably be the issue. The publication you sent me is a paltry performance. I showed it to King who laughed at it: he has given me some extracts from Major Pinckney's correspond. on the subject, which I will communicate to you when we meet.

Major P. has written me a Letter from London, introducing Mr. Lister in warm terms, which he seems to merit.

I called on Mr. Boyd yesterday about the pills: he remembers you and the kind of pills you want; they shall be sent by the first opportunity.

I have sett^d. with Mr. Hill and Mr. Vaughan.

Present my aff^t. respects to Mr^s. Izard and believe me,

Dear Sir
with aff and resp^t.
yours etc

WM. SMITH

⁵ Senator Izard was Smith's father-in-law.

I must rescue one Virginian *Hancock*, from your strictures: He has behaved nobly, in resisting so formid^{bl}. a phalanx: Grove too deserves great credit.

WILLIAM SMITH TO RALPH IZARD.

PHILAD. Nov. 3, 96.

Dear Sir,

Since my last, Mr. Adet has delivered a note to the Secretary of State, which with the Secretary's reply I send you by this post. Every circumstance accompanying the Note, convinces us that it is altogether designed as an electioneering manoeuvre; the govern^t. and every respectable character viewed it in that light.

The proceeding is so barefaced and such an outrageous and open interference in our most important election that it disgusts every reflecting and independ^t. man and will I trust have an effect directly the reverse of that w^{ch} is so palpably intended. The note was dated the 27th. Thursday, and was deliv^d. to the Sec^y. of State either that day or the day following; the President was expected here on Monday (31st.); but before he could receive it from the Secretary, Adet sent it to Bache to be printed, and it appeared in his infamous paper on the Monday morning before the President arrived, w^{ch} was in the afternoon, and therefore before he saw it, unless he met Bache's paper on the road, when he must have had the first view of the note in that paper. This morning Pinckney's⁶ answer appeared and has given much satisfaction; the circumstances he mentions of the Directory having declared to Monroe that there was no Decree affecting our commerce on the 28th. Aug^t. and Adet's threatening us with this Decree dated 2^d. July, is a corroborating circumstance to prove the design of alarming the People at this crisis. Tho the President was expected so soon, he could not have the decency to wait his arrival, but sent his note to be published, least it might not operate enough before the election; by publishing it on Monday, it was just in time to influence the Election in this State, which takes place tomorrow. The day on which it came out in Bache's paper, appeared in that paper a great display of the force of France, certainly calculated to have an effect with the note: two days after, came a piece, threat^g. us with war with France, unless we elect a President, who will be agreeable to that nation: These are among the abominable artifices practised to secure french election in this State and so great have been the exertions employed, such the Lies spread all thro the country against Mr. A. that I apprehend the antif^l. ticket will prevail, in w^{ch} case Jeffⁿ. will have 15 votes in this State: libels have been circulated all thro the State asserting that A. has declared himself for a King; in some he is called King Adams, in others they state the question to be, whether we wish to have a King or a President, etc. Still as the votes will probably be unanim^y. for A. in the Eastⁿ. States New York and Jersey and Delaware and gener^y. in Maryland, if he has a few votes in the Southern States, he will be elected: the greatest exertions are therefore necessary; one or two votes in S. C. may save the election.

I send you a pamphlet containing the Letters of Phocion, under

⁶ Charles Cotesworth Pinckney.

another title: our friends here have had them printed, with an expectation that they will do good, and they will be circulated thro the Southern States, before the Election.

Every man must lend his aid to save the Country at this important juncture: I hope you have decided to go to Columbia.

B. Smith writes me from No. Car. that he hopes A. will have some votes in that State; if so I think we shall be saved; he informs me that he has heard from E. Rutledge, who, if an elector, will *not* vote for A. I suspect he is tampering with my Cousin, but he won't succeed with him.

Steele, the Comptroller, is very decidedly with us, and very useful in circulating information, and writing to his friends.

I wrote you by Story Jun^r. a few days ago. Butler and his family are gone with Story Sen^r. I long to hear of his projects in S.C.

Remem^r. me, if you please, affec^y. to all friends, and believe me

Dr. Sir

With sincere esteem

Yours etc

WM SMITH.

ROBERT GOODLOE HARPER TO RALPH IZARD (at Charleston, South Carolina).

RALEIGH NO. CAROLINA, Nov. 4th 1796.

Dear Sir,

I take the liberty of addressing you on some subjects the importance of which will apologize for the trouble I shall give you.

The first is the election of President. I find the people in our upper Country generally disposed in favor of Jefferson. 'Tis nearly the same case here; even in a greater degree. Mr. Adams may probably get some votes in each State, but the number will be small, for the lower country of our State, with some few exceptions, are more warm on Jefferson's subject than the upper. Should the Pennsylvania Election for Electors succeed, Adams will outpoll Jefferson; otherwise he will most probably be far behind.

As to Pinckney,⁷ the case is entirely different. He, I am well assured, will receive a vote from every elector, or nearly every one, in the three southern states; and in Virginia also I have reason to believe he will meet with considerable support. He, I think is our sheet anchor. It is not Pinckney or Adams with us, but Pinckney or Jefferson.

The great point is to prevail on Pinckney to stand. Every effort will be used by his pretended friends, and by Ned Rutledge among the rest, to persuade him not to let his name be run. They will tell him that he ought not to act as vice President, that he is intended to be made a tool of, by people who will deceive him. That he is brought forward to divide the votes of the southern states, and that the eastern people, when it comes to the truth will not support him. If he should not arrive before the election, Ned Rutledge will give out that his friend Major Pinckney, in whose most intimate confidence he will declare himself to be, will not consent to serve as vice-President. By these means if possible, under the mask of friendship, they will pre-

⁷ Thomas Pinckney.

vent him from being voted for. But Major Pinckney may be assured, I speak from the most certain knowledge, that the intention of bringing him forward was to make him President, and that he will be supported with that view. I do not say that the eastern people would prefer him to Mr. Adams; but they infinitely prefer him to Jefferson, and they support him because it gives them an additional chance to exclude Jefferson, and to get a man whom they can trust. With the very same views against Adams is Pinckney supported by many of Jefferson's warmest friends; and there are not wanting many who prefer him to either. Upon the whole I have no doubt of his being elected, if it should not be prevented by himself or those who call themselves his friends. The great point is to prevail on him to stand.

I trust these ideas sir to your discretion. You may make any such use of them as you think proper. You know the persons who ought to be applied to on this subject. Gen^l. Pinckney's⁸ absence is a great loss; but there are others who may be usefully addressed. I do not know how DeSaussure stands respecting Jefferson; indeed it is very difficult to know how he stands on any subject; but if he should enter into our views, there is no man in the state whom you may consult to more advantage. He is intimate with the leading men of all sides, and knows how to address them in the most effectual manner. He stands very high in the confidence of several.

The next subject is the choice of a governor and senator for our state. While I was in the upper country I was told that Butler⁹ intended to resign and offer as governor and that Hunter was to supply his place in the senate. I need not tell you the importance of defeating this scheme; particularly the latter part of it, and it can only be defeated by bringing forward reputable and popular candidates in opposition. Butler has lost ground in the upper country, but is still strong; particularly with the members of the Legislature. He will also meet with no inconsiderable support from below. I know no man who could oppose him with success but Washington¹⁰ or John Ewing Calhoun. The upper country people, I believe, would vote for Washington, many of them at least, in preference to Butler, and I believe Calhoun would get more votes below. I should however think Washington a safer candidate; but De Saussure, if he will, can give you a much better judgement on this subject. There is also a young man of the name of Mitchell, William B. Mitchell, who from his familiar acquaintance among the members may be usefully consulted.

As to Hunter, should he offer, I know no-body who can so well oppose him as Dr. Ramsay.¹¹ There is an objection to him among the planters, and but one. That perhaps may be got over. It is his principles respecting slavery. He has of late become a considerable slave-holder in Georgia, which I suppose will be a sufficient security. At any rate he will unite the middle country, and the Charleston interest, and will receive a number of votes from above. His offering would hold Ephraim Ramsay in check, who is the ablest most artful and most dangerous of all the supporters of antifederalism in South Carolina.

⁸ Charles Cotesworth Pinckney.

⁹ Pierce Butler, then Congressman.

¹⁰ General William A. Washington, a prominent planter.

¹¹ David B. Ramsay.

Charles Pinckney will probably offer for one place or the other. I need not say that he is as much to be avoided as either of the others. I would rather see him governor than senator, and should prefer him to Butler in the former capacity. It perhaps might be well enough to make him governor,¹² bad as he would be, to prevent him from becoming senator. The greatest danger in his offering as senator would be in the probability of its preventing Ramsay from coming forward, or if he should offer, affording a rallying point to the opposition which he would be likely to receive from the planters below.

There is general Anderson in the back Country, who stands high there, and might be a fit man perhaps to oppose to Butler as governor. He would by no means do for senator; but in the former station he is far less objectionable than either Butler or Pinckney. If Pickens¹³ can be prevailed on to offer there is certainty of his success. Perhaps Robert Barnwell might be persuaded to offer as senator. If so, his election I think would be certain.

These ideas sir have appeared to me to be of importance. Should you consider them in the same light, you will excuse the trouble I have given you in communicating them, and accept the sincere respect with which I have the honor to be

Your very obt. sert.

ROB: G: HARPER.

WILLIAM SMITH TO RALPH IZARD (at Charleston, South Carolina).

PHILAD. Nov. 8, 96.

Dear Sir

Since my last, the Election for Electors has taken place in this State: in the City and County, the antifederal Ticket has unfortunately prevailed by a very large majority; in the other counties from which we have heard, the federal Ticket is considerably ahead, but we have to apprehend a majority against us in the Western Counties, so that upon the whole, the issue is very doubtful and the chances rather against us. In this case there will be 15 votes for Jeffⁿ. in this State, which will decide the election unless we have a respectable support in the Southern States.

The causes which have produced this success of the Jacobins in this City and environs as as disgusting as the thing itself. One was the infamous calumny propogated with wonderful industry, that Mr. Adams was for a King, and accordingly on the election ground the Mob were shouting "Jefferson and no king". Another was a momentary alarm excited among the Quakers, who have been heretofore right, by Adet's threats: they conceived that France was about to declare war against us and that Jeffⁿ. would conciliate the affections of that nation; and thus a scandalous manoeuvre, evidently designed to influence the election has had its effect; and thus, after the federal party have by great wisdom and exertions preserved peace with England, they are now to be kicked aside as useless, and their adversaries brought in to keep peace with France, and those who created the Constitution and produced the prosperity the Nation now enjoys are

¹² Charles Pinckney was in fact elected governor in 1796.

¹³ General Andrew Pickens, Congressman, 1793-1795.

to be trampled under foot by the Enemies of the Constitⁿ. and of the national prosp^y.

Another cause which I hope will damn Jeffⁿ. in the Southern States operated strongly with many of the Quakers; that is, his wishes for *emancipation*. French influence never appeared so open and unmasked as at this city election—French flags, french cockades were displayed by the Jefferson party and there is no doubt that french money was not spared. Public houses were kept open. At Kensington the mob would suffer no person to vote who had not a french cockade in his hat. In the northern liberties, there were many hundred votes given more than at any former election all of which are supposed to be illegal. In short there never was so barefaced and disgraceful an interference of a foreign power in any free country.

McKean leads the antifederal ticket. You remem^r. his zeal for Adams at the last election, and yet to serve the vile purposes of a party, the old wretch submits to prostitute his vote, having promised to vote for Jeffⁿ. tho he is known in his heart, to prefer Adams's politics.—Burr is here—he has been at Boston and is probably going to the southward—he is to be run on the antifederal ticket with Jeffⁿ. in some of the states; tho I believe the party are not perfectly agreed among themselves as to the Vice Presid^t.—the plan of the leading men, I am told, is to vote for Jefferson and any other man, except Adams and Pinckney, and instructions have been issued to that effect; they forbid the voting for P. least he sh^d. get in as President; they think that Ad. may get in as V. P. and they are sure he would resign, which would furnish them with materials of abuse for his hauteur, in despising a station in which the people have placed him. Burr is likely however to unite most of the antif^l. votes—a charming character to be sure for V. President! so unpopular in his own state that he can't even get a seat in the State Legislature—sued here for 5,000 doll. at the Bank and in N. Y. for £12,000 Sterl^g. for a land speculation. Old Robinson of Vermont has resigned and Tichenor, a federalist. elected. Buck re-elected in that state unanim^y. and Lyon expected to succeed my namesake, so that the *Green Mountains* will be represented very properly by a *Buck* and a *Lion*. Otis will succeed Ames.

I suppose you have read Adet's note and Pickering's reply—Adet is preparing a rejoinder which will appear in a few days: all this is well understood—and his success in this City will doubtless encourage him to persevere.

Harper, I find is reelected by a great majority, and I hear that J. Rutledge is elected. Harper writes Bingham that he thinks Adams will have three votes in So. Car. Could it not be intimated to E. Rutledge that if Jeffⁿ. gets any votes in our State, he will outvote Pinckney and therefore those who wish P—y's election as President ought not to vote for Jeffⁿ. This idea may induce him to withdraw his support from J. even tho he sh^d. not support A. and wo^d. favor our cause.

I hope the family are all well—remember me to them
and believe me Dear Sir with sincere Esteem

Yours respect^y.

WM. SMITH.

WILLIAM SMITH TO RALPH IZARD.

PHILAD. May 23, 97.

Dear Sir

The newspapers will acquaint you of the subjects of discussion which arose out of the reported answer to the address. It was a fortunate thing that Rutledge¹⁴ was one of the select committee; we strongly suspect that the Speaker by placing him there counted on him as being on the other side. Venable was chairman and had Rutledge been wrong, the draft V. had prepared would have been reported: this draft was a most pusillanimous crouching thing, hoping every thing from further negotiations. We had a large meeting after the com^{ee}. was formed, at which were present Griswold, Rutledge and Kittera, composing a majority of the com^{ee}. and there we agreed on the sketch of a draft, which Griswold prepared and was agreed to in the com^{ee}. and reported. Nicholas's amend^t. will, I think, be lost, but I fear there will be some change in the reported answer, which will not improve it. Coit has proposed some conciliatory amendm^{ts}., which the federal party generally dislike, and which the other party will prefer to the report. His amend^{ts}. are 1. to express a wish "that the F. Rep. may stand on grounds as favorable as any other nations in their relations to the U. S." 2. to change the expression of *indignation* at the rejection of our minister, into one of *surprise* and *regret*. 3^d. to state the attempts of France to wound our rights and to separate the people from the govern^t *hypothetically*, "should such attempts be made—" "if such sentiments are entertained". I am apprehensive the first of these amend^{ts}. will be agreed to—there is a pretty general opinion that we can have no great objection to placing France on the same footing as Eng., but we conceive that inserting these words will be interfering with the Executive—will be an oblique censure on their past conduct, will be an admission that France has a right to this concession, and be throwing out of view any hope of compensation for spoliations.

Every manoeuvre was practised to seduce Rutledge and bring him over on the com^{ee}. to vote for Venable's draft, but he stood out and was decidedly for a high-toned report. He has twice spoken in the house against Nicholas's amend^t.—his last speech yesterday was a very good one; it was argumentative, ingenious and sarcastic and had much effect; he delivered himself with ease, fluency and grace: he has very much the manner of his Uncle Edward; the federal party and the audience were highly pleased and the french faction prodigiously mortified, except at one part of his speech (which might as well have been omitted) respecting the British Treaty. We have several new members, young and genteel men, all federal and handsome speakers, Otis, Dennis (the successor of Murray) Bayard the Delaware member, and Rutledge. Otis and Bayard are very powerful and Dennis, tho' very young very well informed and decided. Evans, successor of Page, is a very federal and respectable man; he proposed rather a foolish amend^t. at the outset, from a spirit of conciliation but he will be generally right. Old Morgan, in lieu of Rutherford, is very firm in support of gov^t.

Some of the Jacobins are rather softened, but the leaders are as fierce and obstinate as ever. Giles, Gallatin, Nicholas, Livingston,

¹⁴ John Rutledge the younger, a new member from South Carolina.

Swanwick and Sam Smith have disgraced the country by their speeches; Giles and Livingston were hours in apologizing for France and abusing the govern^t. of this country and the British Treaty; but Sam S. who spoke yesterday, surpassed them all; his whole speech consisted of invectives against British spoliations and justification of France: Harper,¹⁵ who is the most decided and bitter enemy of the French, gave him a severe dressing and made a very able speech; before he had however completed his remarks, the Speaker was taken ill and the house adjourned; Harper will continue tomorrow; he sat with me an hour last night and from his conversation, he appears full charged. He is a very bold speaker and is very industrious; he will be a very important character in that house in a short time. Gallatin was more decent than usual and his speech *more american* than that of any of the others.

My namesake Major W. Smith is arrived; he looks like a thin puritanical Methodist, is rather an elderly man and appears to be a great simpleton. He lodges with Rutledge and Hunter. On his arrival he expressed himself to Rutledge satisfied with the report of the Com^{ee}. but Sumter¹⁶ got him seated in the house between him and Milledge, and they together with Baldwin have been debauching him. Harper had him to dinner two days ago, together with Rutledge, Bayard, Otis and myself: we tried to infuse good opinions into him, but he appears to be composed of materials very unpromising.

It is unfortunate that so much time should be spent in debating the answer; but it was unavoidable; all this debate must have come out during the session and it was perhaps better to have it at the beginning and disencumber the measures, which will be proposed, of this extraneous matter. When this question is settled, which will probably be tomorrow, we shall immedi^{ly}. proceed to the measures necessary for defence. Opinions are not made up; the greatest objection seems to lie against allowing the merchant ships to be armed; the Jacobins will object to everything like defence, for fear of irritating; but I presume they will be in the minority: fortifications, completing the Frigates, purchasing and fitting out armed vessels, as convoys, procuring arms and ammunition are the most likely to succeed. Gen. Pinckney will be appointed as *sole* Envoy or Embass. Extr^y.—perhaps some important character sent as Secr^y. of the Embassy. The party have relinquished their hopes of Madison: they found a general approbation of Pinckney's conduct and understood that the President's mind was made up; after intimat^g. various objections against him they now make a merit of necessity and join in applause.

Jefferson's letter is uncontradicted; I had some conversatⁿ. with Harper about it last night, and he says he will introduce the subject in his speech tomorrow. Jefferson lodges at Francis's hotel with a knot of Jacobins, Baldwin, Sumter, Varnum, Brown, Skinner (successor of Sedgewick) they have unluckily got Henry amongst them, and I much fear will corrupt him, as he is a weak man and has given already a wrong vote in the Senate.

There has been some objection in the Senate to the President's nomination of Mr. Adams to Berlin, *only* on the score of extending foreign relations. The appointment will however take place, and the

¹⁵ Robert Goodloe Harper, of South Carolina.

¹⁶ General Thomas Sumter, of South Carolina.

President has it further in contemplation to send a minister to Sweden.

Porcupine's paper does a great deal of good; it is very widely circulated, and much among the middle and town classes; his blunt vulgar language suits them and has a great effect: he keeps Bache and the others a good deal in check; the advantage of having a printer constantly on the watch to detect and expose their lies is considerable and the effects are already obvious. He gives circulation also to many valuable essays and documents which are unknown in this country and contribute to open the eyes of the people.

I send you in my last a letter from Mr. Hill respecting the wine; I hope it is safe arrived.

I am Dr Sir with sincere regard
respectly. Yours

WM. SMITH.

WILLIAM SMITH TO RALPH IZARD.

PHILADA. May 29, 1797. Monday night.

Dear Sir

Garman having been detained by the fear of a French Privateer which has been committing Piracy near the Capes, I have an opportunity of adding to my letter of Saturday. Yesterday morning I discovered that there was a project of a *Commission of three* to France instead of a *sole Envoy*. I am now in hopes that the idea is abandoned—by next post I will write you more particularly on this subject.

This morning we took the question in Com^{tee}. of the whole on Nicholas's amendment, which was lost, 46 to 52, tho by mistake in the chairman it was stated as 48 to 52, as you'll see in the papers. This is the utmost strength of the party which has governed our house for several years; I think they will decline hereafter and that we shall keep a majority through the session: including the chairman we had a majority of *seven*. Every effort was made to impress the wavering members with an idea that the question on the amend^{mt}. was a question of *peace* or *war*, and an evident effect was produced. Tomorrow we shall take a question on Coit's amendments, which I believe will be agreed to. I don't like them, tho they are much less exceptionable than Nicholas's. The apprehension of war is so great that it is difficult to bring a majority to speak a firm and energetic language. I hope however we shall be able to carry thro some effectual measures of defence and obtain further revenues. Harper made a very great speech today; it contained a very eloquent and enlightened review of the ambitious project of France. We have been so long accustomed to hear the language of affection and gratitude for France that his bold and manly ideas startled many timid persons, who considered his speech as a declaration of war. Having made a strong allusion to Munroe's conduct in France, Giles called on him to explain whom he meant and whether he meant the late minister, as he knew there was a great deal of calumny circulating against him: Harper replied, "Yes, I did mean him and am ready to make good my assertions." The question being then on the Committee's rising, H. was interrupted, and nothing further was said. After the house was adjourned, he wrote a line to Giles, acquainting him that he was ready to state to him the facts and proofs against Monroe; G. wrote him an answer in these

words, "I want an explanation to the public." H. wrote in reply that he should do no such thing. There the matter rests; it is probable G. will revive the subject in the house tomorrow; in the mean time H. has taken measures to obtain evidence from two gentlemen now here, who have been at Paris, witnesses of Monroe's intrigues; Wm. Morris is one of them.

The Senate distributed today the subjects of the President's speech to several committees; by a previous arrangement, they have left out of the committees, every one of the minority to shew them that they have no confidence in them and are afraid to trust them at this crisis: there is not a man of the minority on any one committee: I have [advised] Rutherford to get Martin and Hunter on some of them to try and detach them: These two are the best of that party. There are 30 members of the Senate present: the absentees are Gunn, who is soon expected, and Schyler, who is dangerously ill. I am told Burr has got into the state legislature. We have 99 members on the floor: my colleague and namesake voted against us, which I attribute in some measure to a visit he received yesterday from that rascal, Bache; Rutherford tried to keep him right, but I fear he is gone.

As I haven't time to write to Desaussure, pray shew him this letter, which contains what I sh^d. have written him had I had time.

I am Dear Sir
very affect^{ly}. yours
WM. SMITH.

WILLIAM SMITH TO RALPH IZARD.

PHILAD^a. June 2, 97.

Dear Sir

I rec^d. your last letter two days ago. We have not yet got thro the answer to the President's Speech. The great point in contest is whether we shall tell the President (indirectly) that he *must concede* to France the three grounds of complaint arising out of the British Treaty, without any equivalent or promise of compensation. The other party are for so doing; we object to saying anything about it, but contend that if we suggest that, we must also recommend the case of our merchants and demand redress for the spoliations. A vote has been carried [the day]¹⁷ before yesterday 52 to 47 for inserting the proposition in its objectionable shape. Yesterday in the House we [won] over two [Virginians] and the proposition was carried only 50 to 49; we then moved to amend it, by introducing the words "a disposition on the part of *France* to redress *our* wrongs" or to the effect; this embarrassed the leaders of the other party prodigiously; they have moved the previous question on it, and the matter now rests; we hope to carry the amendm^t. and then defeat the whole proposition. In the mean time the Senate are preparing bills for *defense*.

The nomination of Mr. Adams to Berlin is approved by the Senate 19 to 10—Hunter voted finally for it: there was first a motion to postpone the considⁿ. of the nominatⁿ. to March next. Lost 17 to 12. Then a proposition that a minis. plen. at Berlin was not necessary—

¹⁷ At places where square brackets have been introduced the manuscript is torn and conjectural readings have been inserted.

previous question carried 18 to 11—then the nomⁿ. agreed to. Day before yesterday the nomination was made of Gen. Pinckney, Chief Justice Dana of Massac^{ts}. and Gen. Marshall of Virginia (the celebrated lawyer) as envoys Extr^y. and Min. Plen. to France. I had heard of this [project] several days ago and objected to it and in conseq^e. of my objection [the] nominations were postponed two days and the subject reconsidered by the Presi[dent] and council; but there were reasons for it too powerful in their opinions to change th[e p]lan—I dislike it—however, it is done. I immed^y. took measures to satisfy Rutledge and he is perfectly satisfied: [] has shown much ill humour and endeav^d. to prejudice Rut. but I was before hand. G^l. Pinckney is at the head of the commission and will I hope be pleased with the arrangement.

Yesterday mo^{rn}g. I called on Porcupine and paid him a visit; he was much delighted with the anecdote respecting St. Peter; he laughed very heartily; I read him your remarks about Webster; he acquiesces in the propriety. I dined yesterday with the President; he was easy and cheerful; suffic^y. familiar without losing his dignity; Mrs. Adams conducted herself with the greatest propriety. The dinner was genteel, without profusion; the wine rather mediocre. In the evening I related the anecdote about St. Peter. They were much pleased with it. Porcupine is a great favorite at Court.

I shall write again soon. Tell Harry that his friend Cochran is a very clever fellow; he has not spoke yet, but his opinions are very sound.

I hope the children are getting well from the hooping cough. Pray give my love to them.

Very respec^y.

Yours etc
WM. SMITH.

REVIEWS OF BOOKS

GENERAL BOOKS AND BOOKS OF ANCIENT HISTORY

Das Antike Mysterienwesen in Religionsgeschichtlicher, Ethnologischer und Psychologischer Beleuchtung. Von Dr. K. H. E. DE JONG. (Leiden: E. J. Brill. 1909. Pp. x, 362.)

WITH the present interest in ethnology and the history of religion it is natural that much attention should be given to the ancient mysteries, which on the whole formed the most important element in the spiritual life of antiquity. But, in the nature of the case, the data on which our knowledge here depends are so insufficient and unsatisfactory that the most divergent views are held as to the real character of the rites, and the explanations offered of the effects which were undoubtedly produced have been of the most opposite sort. The latest attempt at explanation is made in the present book by Dr. de Jong of the Hague, whose excellent dissertation (*De Apuleio Isiacorum Mysteriorum Teste*, Leyden, 1900) led him to this larger study.

As the title of his book indicates, Dr. de Jong employs the abundant material which has been amassed by the study of religions other than those of Greece and Rome, as well as the results of ethnological and psychological research. After a short introductory chapter, he reviews in the two following chapters the familiar features of the Eleusinian mysteries and those of Isis and Mithras, which played a most important part in the second to the fourth centuries of our era; he then passes to the consideration of the various explanations which have been offered of the effects secured by the mysteries. In his contention that mere splendor of buildings or of ceremonies, which were certainly simple in the earlier period, was quite insufficient to cause these effects, he is undoubtedly right; nor could the sacred symbols seen or handled have by themselves profoundly influenced the initiates. The explanation is rather to be sought along the line suggested by Aristotle's much quoted statement that the initiates in the mysteries should not learn any definite thing, but be given an experience and be put in a certain state of mind, after being made susceptible thereto. In other words the explanation must be a psychological one, and the whole purpose of all mystic ceremonies and symbols was to produce the "experience and state of mind" of which Aristotle speaks. At this point in his discussion Dr. de Jong announces his belief that all mysteries were essentially magic in their origins at least; and, after an interesting chapter on the part played by magic in the Egyptian cults, he proceeds to support his contention by

illustrations and parallels drawn from varied peoples of antiquity and modern times, ranging from the inevitable Australians and Chinese to the North American Indians.

The text for the last five chapters is furnished by the words of Apuleius: "I have approached the bounds of death; I have trod the threshold of Proserpina, and, after passing through all the elements, I have returned again. At midnight I have seen the sun flashing with a brilliant light; I have approached the gods of heaven and hell and done them obeisance face to face." In these words Dr. de Jong apparently sees the key to the mysteries. In his elucidation of them he discusses ecstatic or hypnotic states, visions of the other world, tests by fire, optical illusions, materialization and suggestion—a wide range, in short, of real and spurious religious experiences among many peoples and sects. In a liberal spirit he treats with respect later mystics and visionaries, including Swedenborg and F. W. H. Myers.

Now although we shall never know exactly the details of the various forms of initiation, probably everyone agrees that in them all the initiate was in some way by fasts, dreams, purificatory rites and other acts put into an ecstatic state in which he was especially responsive to suggestion. It is hard for the present reviewer to see that Dr. de Jong has gone beyond this in the explanations which he offers; his book is interesting and valuable in the collection which it offers of mystic and magical rites gathered from many sources; but edifying as it may be to observe similar practices arising at certain cultural stages among peoples widely separated by time and place, we must not forget that parallelism does not necessarily constitute explanation.

It is to be regretted that the index of the book is wholly inadequate.

CLIFFORD H. MOORE.

The Acropolis of Athens. By MARTIN L. D'OOGHE, Professor of the Greek Language and Literature in the University of Michigan. (New York and London: The Macmillan Company. 1908. Pp. xx, 405, v.)

It is now twenty years since Kabbadias concluded the definitive excavation of the Acropolis. Some part of that long campaign Professor D'Oooge, as director of our school at Athens in 1886-1887, saw with his own eyes; and he has twice returned for a sabbatical study of the subject on the spot.

But he is too wise to undertake even now a final history of the Acropolis; he proposes merely to "give a summary of the most important contributions to this history and to state the results of personal study of the site and of the ruins upon it". In this modest venture his patience and painstaking have stood him in good stead; and the serious student will find the book packed with sifted facts which hitherto he has had to gather for himself from a wide range of writers in various tongues.

The text is helped out by ample illustration, including nine excellent full-page photogravures and seven plans. Some of these, however, have the key on the back where it can be of little use; and one (plan III.) is bound in upside down.

The treatment is in the main chronological. After a brief account of the Hill in its natural features and as a pre-historic sanctuary, citadel and residence, there follow chapters on the Earliest Historic Period down to the Persian Destruction; from the Persian Destruction to the Age of Pericles; the Age of Pericles; the Temples on the Southern Slope and the Theatre; the Hellenistic and Roman Periods (Pausanias's Tour); from the Roman Period to the Present. There follow ten pages of notes (is the foot-note to be banished for good and all?); three appendices on the sources (including Frazer's translation of Pausanias on the Acropolis), the Pelargicon, and the Old Temple; and a fairly adequate index.

The author is more concerned with outstanding facts than with recon-dite theory. He rarely dogmatizes. With the "problems", his method is to state the various views; rarely to give a casting vote. Doerpfeld's no-stage theory is "adopted as being highly probable"; but on the Old Temple he "agrees in most points with Michaelis". He notes Doerpfeld's new view of the original plan of the Erechtheion—with a west half that (like the South Hall of the Propylaea) was never built; but expresses no judgment upon it. In the present stage of archaeological debate, it is just as well to have the open mind.

Well as Professor D'Ooge has done his chosen work, the story of the Acropolis is yet to be told. The ineffable charm, the universal human interest of it has never yet been put in a book. It never can be until archaeologists are poets or poets are archaeologists. Then only may we hope to be shown the things "worth seeing" in their proper atmosphere. Yet one cannot but regret that our author has taken his task so severely; that, after happily flinging open wide the Propylaea of our hopes on his first page, he gives us hardly another glint of the violet crown till we reach the last. For his last words are true: "To know the history of the Acropolis is to know not only the background of the history of Athens; it is also to know the beauty-loving spirit and brilliant genius of the people who dwelt in the city nobly built on the Aegean shore."

J. IRVING MANATT.

Geschichte des Hellenistischen Zeitalters. VON JULIUS KAERST.
Zweiter Band, erste Hälfte. *Das Wesen des Hellenismus.*
(Leipzig und Berlin: B. G. Teubner. 1909. Pp. xii, 430.)

VOLUME I. was reviewed in the October number of this journal for 1902, pp. 100-103. It treated, in three books, of *Die Hellenische Polis*, *Das Makedonische Königtum*, and *Alexander der Grosse*, political philosophy in the first two being followed in the third by condensed historical narrative. This first half of volume II., also in three books, treats

of *Die Entstehung der Diadochenreiche*, *Die Hellenistische Kultur*, and *Der Hellenistische Staat*. The first book gives a condensed narrative of events between Alexander's death and the fresh division of his world-empire which followed the defeat and death of Antigonus at Ipsus in 301. The author does not attempt the completeness of Droysen or Niese, but dwells only on those events which illustrate the evolution of Hellenistic culture as a whole. He expects the verdict of too great emancipation from philological science, and combats Schwartz's dictum that "die alte Geschichte nichts anderes ist und sein kann als die Interpretation der auf uns gekommenen Reste des Altertums." But in this first book he shows a good command and an independent use of all the sources of information accessible to the historian of the period, including, of course, the inscriptions; and his narrative of events, made as it is in the spirit of the historical philosopher rather than the philologist, often brings welcome light into the dark places of this chaotic time. The relation of Craterus to Antipater in Macedonia; Ptolemy's consistent championship of the principle of separate dynasties in, rather than the unity of, Alexander's world-empire; Polysperchon's relations, as "Reichsverweser", to Antipater on the one hand, and Cassander on the other; the attempts of all the great protagonists to secure the hegemony of Greece proper; and the wild enthusiasm of Athens for Demetrius Poliorcetes, may be singled out as topics which gain distinctly under the author's treatment. At first thought it would seem that the battle of Ipsus with its immediate consequences was not the proper place to pause in the historical narrative for the introduction of the more philosophical considerations which occupy the rest of the volume. But the author justifies himself as follows: "Wenn Demetrios' Herrschaft, mit den wunderbar wechselnden persönlichen Schicksalen ihres Trägers verflochten, so gut wie spurlos verschwindet und auch das Reich des Lysimachos keinen länger dauernden Bestand hat, so treten die drei grossen Reiche, die vor allem die folgende politische Entwicklung beherrschen, die asiatische Grossmacht der Seleukiden, die ägyptische der Ptolemaeer, die zugleich die Herrschaft über einen grossen Teil des östlichen Mittelmeeres gewinnt, und die makedonisch-griechische schon in klaren und festen Umrissen uns entgegen" (p. 82).

The second book treats of Hellenistic culture in the following chapters: *Die innere Umbildung der Kultur der Polis*; *Die Philosophie des Hellenismus*; *Der Technische Charakter der Hellenistischen Kultur*; *Rationalismus und Monarchische Weltanschauung*; *Die Hellenistische Religion*; *Der Allgemeine Geschichtliche Charakter der Hellenistischen Kultur*. Hellenic individualism emancipates itself from the old community of the little city-state, and finds wider scope in the territorial monarchy, developing, at its extreme, into absolutism. The technical element and the principle of minute division of labor now work as moulders of social relations. Rationalistic accounts of the deeds of gods and heroes now show the influence of the careers of Alexander and his

found in the title of the fifth, *Augusto ed il Grande Impero*, disappears in the unmitigated paradox of the English title of the fifth, *The Republic of Augustus*. For Augustus restored the republic only in the merest form, and left an empire. It is doubtless due to this unfortunate change in titles for the English volumes that four chapters, the East, "Armenia Capta, Signis Receptis", the Great Social Laws of the Year 18 B. C., and the Ludi Saeculares, which belong properly to the fourth volume of the Italian edition, are included in the fifth volume of the English translation.

The first three volumes of the English translation were made by Mr. Alfred E. Zimmern, M.A., Fellow and Tutor of New College, Oxford, who succeeded very well, in spite of minor inaccuracies, in catching the spirit and swing of the remarkable style of the original Italian. He had a collaborator in translating the fourth volume, Rev. H. J. Chaytor, M.A., Headmaster of Plymouth College, who alone translates the fifth volume. His work is distinctly less faithful to the original, both in form and spirit, than that of Mr. Zimmern.

The preface to the American edition of the fifth volume begins as follows: "The publication of the fifth volume, which completes my study of the *Greatness and Decline of Rome*, gives to the author an opportunity for a word of greeting to his American readers." But the preface to the first volume of the Italian edition declares the author's intention "to continue the narrative, in succeeding volumes, down to the break-up of the Empire". Has the author changed his original intention? This would seem improbable, as such change would render his title false, the "decline" of Rome having not yet set in. Or would he have us consider the century of revolution and the nearly half a century of Augustus's principate such "decline"? And how about the "happy century" of the Antonines?

This fifth volume continues more brilliantly than ever a historical work which must be called sensational, rhetorical, conjectural, imaginative, but also fascinating and stimulating, and all to a high degree. Authoritative and final, even for a short time, the work cannot be, but it has all the charm of the best historical fiction. The volume covers the years 21 B. C. to 14 A. D. "The years covered by the narrative present the most important epoch in the history of Rome, because it was during this period that Rome became conscious of her mission and responsibilities for the rule of the West. Her attention had hitherto been directed almost exclusively towards the East, but during these years, it was, under the pressure of events, directed towards Gaul and the West."

According to Ferrero, Augustus, who had "restored the Republic", sought also to restore the old aristocracy and the old Roman type of character. The latter he sought to do by the great social laws of the year 18 B. C. These represented the ascendancy over him of the influence of Livia and her party of old conservatives, and Drusus and

Tiberius, the sons of Livia, stood forth as representatives of the old nobility. But the younger nobility, under the influence of Eastern wealth and thought, tended to quite another type—the type of Sempronius Gracchus and the other lovers of Julia. As long as Agrippa and Maecenas lived, the conservative party kept the ascendancy. But Julia's visit to the East with Agrippa, her marriage to and estrangement from Tiberius, her fondness for luxury and display, gradually brought her into the leadership of the party of the young and dissolute nobility. Their intrigues to displace Tiberius in the confidence of Augustus are so far successful that the emperor relaxes the severity of his attitude toward the decadent morals of the time, and remains blind to the notorious adultery of Julia. The retirement of Tiberius to private life is the consequence, and for ten years the empire is deprived of the services of "the ablest man of his time". When he is recalled to the side of Augustus as his colleague in the government, in the year 4 A. D., after the disgrace and exile of Julia, it is to be the real ruler of the empire, and the party of Livia and the old conservatives triumphs.

So far we may follow Ferrero without much hesitation. He successfully tempers the hatred of Tacitus and the *médiance* of Suetonius. But no sound historian can follow him in his great thesis, which took Paris captive, that the conquest of Germany was undertaken only to preserve to the empire the priceless wealth of Gaul, which had suddenly become "the Egypt of the West"; and that Augustus deliberately planned it in order to afford his morally guarded nobility a fit field on which to develop the old Roman qualities. There is too much brilliant conjecture from the scattered hints in Dion Cassius, and too complete blindness to the fact that the Marian tradition, which Julius Caesar and Augustus followed, looked upon the teeming North as the source of constant peril to Rome. When its warlike peoples threatened to inundate the Latin peninsula, then Roman legions had to force them back and establish barriers against them. There was little thought of getting wealth from the North, but much of preserving that of the South. And it was the physical vigor of the people rather than their wealth which made Julius Caesar, and Augustus after him, choose their countries for the training of an army rather than Spain or the East. In due time, after the Romanization of Gaul by Augustus had borne its fruits, the province became the seat of wealth and culture, as did Spain, and both provinces furnished good emperors. But Ferrero insists upon estimating the Gaul of Augustus as one would the Gaul of Antoninus Pius, and altogether too much of his airy structure is based on an exaggerated interpretation of Dion Cassius, LIV. 21 (p. 112, and *passim*).

To the character of Augustus, Ferrero does far more justice than to that of Julius Caesar. But it is impossible to believe, as he would have us, that such a character as Augustus, having once absorbed all the powers of the state, deliberately set to work to build up an able and powerful nobility to which he might safely depute some of the powers

that overburdened him. The revolution, especially the last seventeen years of it, had practically extinguished the old senatorial nobility, and it was a decadent senate which deputed to Augustus all the powers of absolutism. He enjoyed their exercise, and wished his successor to enjoy them, and forged for his own soul its greatest sorrows by the way in which he played fast and loose with the most sacred things in the hearts of his children, in order that he might have a lineal successor—that he might found a dynasty.

With Ferrero's treatment of Ovid one can be heartily content. And this is a great satisfaction after the righteous anger which his treatment of Vergil and Horace has awakened in us. We seemed to detect in his constant sneer the attitude of the uneducated socialist, of the anarchist, toward art and letters. But we have no protest against his sneers at the author of the *Ars Amatoria*.

B. PERRIN.

BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

The Enforcement of the Statutes of Labourers during the First Decade after the Black Death, 1349-1359. By BERTHA HAVEN PUTNAM, Ph.D., Instructor in History at Mount Holyoke College. [Studies in History, Economics and Public Law, edited by the Faculty of Political Science of Columbia University. Volume XXXII.] (New York: Longmans, Green and Company. 1908. Pp. xi, 224, 480.)

THE monograph of Dr. Putnam will command serious attention as a study of those restless and problematical years immediately following the Black Death and more remotely preceding the Peasants' Revolt. As the title barely suggests, the work is a study on the administrative rather than the economic side of the history of Edward III.'s noted labor laws, the operation of which is followed through the various agencies of the government employed for their enforcement. For the purposes of a review, the book may be described in two aspects: first as a process of investigation, and second as to its subject-matter.

The investigative process begins with the Ordinance of Laborers of 1349 and the more extended Statute of Laborers of 1351, of which revised texts are given. Commissions and instructions to the itinerant justices of laborers are found in the chancery enrollments, chiefly the Patent Rolls. The fortunate discovery of eighteen small rolls containing fragments of the proceedings of these justices, which escaped destruction in the Peasants' Revolt apparently by the accident of being incorrectly filed among the Assize Rolls, has made it possible, meagre as these records are, to observe the enforcement as carried into the country. By dint of search among the more abundant records of the Exchequer, the King's Bench, and the Common Pleas, as many as 9,000 cases relat-

ing to the labor statutes have been revealed. The vast extent of these sources has justified the author in her limitation of time to a period of ten years and in confining her search almost entirely to the archives of the Public Record Office, observing mainly the operation of the king's courts, giving less attention to the enforcement as carried on by the local courts of the counties, the hundreds and the manors, while the action of ecclesiastical authorities has been omitted entirely as requiring separate treatment. Even with these limitations the work represents the most extensive investigation of a single question through the various administrative and judicial records which has yet been made. The larger part of the book contains transcripts of hitherto unpublished documents principally of illustrative cases before the courts, many of which have an interest apart from the subject in view.

On the side of material facts the book affords an interesting array of new evidence on various questions economic and political, although from the incompleteness of the survey some of the conclusions can only tentatively be offered.

As to the moot question, upon which writers have differed most widely, whether wages were kept down by the measures or not, the author dissents emphatically from those who have represented the statutes as ineffective. They were strongly operative, she believes, temporarily at least, in keeping wages at a lower level than they would otherwise have reached.

Upon the still more difficult problem whether the enforcement of the statutes quickened or retarded the emancipation of the villeins, with some reserve it is shown that in the disputes which came before the king's justices the lords were striving to secure laborers at low wages rather than to recover their escaped bondsmen, and that the charges most frequently brought before the courts were those of violation of the wage clauses of the laws. The recovery of villeins, therefore, if undertaken by judicial processes, must have been rather through the agency of the local courts which remain to be investigated.

The interest of the book is sustained by a persuasive literary style and by a workmanship which is admirable in several respects. The foot-notes are ample in explanations and gracious acknowledgment of all assistance received; the transcriptions have been made by the expert hand of Miss Mary Martin whose work is notably accurate; and the selections of the appendix are plainly correlated with the text which they illustrate.

JAMES F. BALDWIN.

In the Days of the Councils: a Sketch of the Life and Times of Baldassare Cossa (afterward Pope John the Twenty-Third).

By EUSTACE J. KITTS. (London: Archibald Constable and Company. 1908. Pp. xxiv, 421.)

It is unfortunate that Mr. Kitts should not have succeeded in finding a more suitable title for his volume, for instead of taking us, as he promises, through the period of the councils, he acts as our guide merely through the first and least important council, namely that of Pisa, and instead of the complete life of Baldassarre Cossa he carries the Neapolitan cardinal to the threshold of the papacy, only to draw the curtain at that breathless moment. The book is really a history of the Great Schism, and no reason anywhere appears why the author, who consistently shows himself to be a single-minded and straightforward writer, should fail to say so on the title-page, especially as he has succeeded in preparing, if we bar one hundred pages of introductory matter which resumes the relations of the Church and the empire in the Middle Ages and is as tedious as a school primer, what can unhesitatingly be called a sound and painstaking, though a by no means original, work. Its substance and core is a careful setting forth of the various methods for terminating the schism proposed or followed at one time or another, coupled with a clear enumeration of the difficulties that thwarted each new effort in behalf of religious peace and unity. The documentation is not always entirely satisfactory, owing to the circumstance that the author, although his studies have carried him back to the original sources, leans largely upon the excellent secondary works dealing with the period, and frequently yields to the temptation of referring undisputed facts to them. A somewhat amusing consequence of this dependence is seen in his ready adoption of German words, for no other reason apparently than that they happened to be in the text before his eyes. Thus the predatory inhabitants of certain Italian islands are represented as lying in wait for Strandgut (p. 142), the castle of Sant' Angelo appears under the disguise of the Engelsburg (p. 154), an important baron of Piedmont is introduced to the reader as the Markgraf of Montferrat (p. 201), and the German King Rupert, in the spirit of carnival merry-making, dons a grotesque masquerade and makes his bow to us as Rupert Clem (pp. 165, 198).

The two commanding personalities of this period of church history are the Spaniard Pedro de Luna, who became Pope Benedict XIII. of the Clementine obedience, and the Italian Baldassarre Cossa, afterward Pope John XXIII. The author minutely traces the relations of each of these men to the Great Schism, and is scrupulously just to the personal charm, the persuasiveness, the rock-like steadiness of Pedro, as well as to the daring, the vigor and the political unscrupulousness of the Macchiavellian Baldassarre. But though even-tempered as the historian should be, Mr. Kitts pays the price for this cold merit by his failure to

endow his leading personalities with the warm breath of life. They remain pawns moved over the chess-board of Europe by the hand of an invisible *fatum*, and although the author may have excellent grounds for a cosmic philosophy which minimizes the part of the individual on the human stage, the present reviewer, without quarreling with the author's fundamental views of life, may yet regret their literary result, and deplore that a book of such considerable scientific value should lack the human touch.

There is an excellent index and a good working bibliography. The illustrations are nine in number and not particularly notable. The Lists of Rulers, added for the reader's convenience, are not as complete as might be, for the kings of England and Scotland are missing entirely, and in the German list both Wenzel and Rupert have been overlooked.

FERDINAND SCHEVILL.

Documents Nouveaux sur les Moeurs Populaires et le Droit de Vengeance dans les Pays-Bas au XV^e Siècle. Lettres de Rémission de Philippe le Bon. Publiées et Commentées par CH. PETIT-DUTAILLIS, Professeur Honoraire à l'Université de Lille, Recteur de l'Académie de Grenoble. (Paris: Honoré Champion. 1908. Pp. vi, 226.)

THE body of this valuable work is made up of a collection of petitions to Philip the Good, of Burgundy, which were selected by the editor as valuable documents for the social history of the fifteenth century. To accept the allegations of petitions as proofs of facts is of course impossible; but the allegations of such petitions, whether true or untrue, throw valuable light on the state of society, for true or not they are almost necessarily in accordance with the manners and customs of the time. It would be dangerous to accept the statements of such petitions as representing typical occurrences. The facts recited, while entirely within the range of possibility, are by the very fact that they form the subject of a special proceeding likely to be exceptional in their nature. If we wish to determine the frequency of occurrences, such as homicide, riot, or incontinence, we cannot rely on such documents as these, but must go to such rich mines of information as the judicial rolls of England. The editor possibly relies too much on the recited facts of feud, murder and incontinence in these petitions as illustrating typical life in Flanders at the middle of the fifteenth century; but the documents are of great value as supplementing other evidence on this point, and as filling in the historical outlines with living color.

Probably the most valuable portion of the work is the introductory matter prefixed to the two series of documents. The first series, intended to illustrate the popular customs and ideas of Ghent and Liège, is prefixed by a short but admirable statement of certain habits of the people. The dishonesty and the murderous temper of the population, its

licentiousness and petty broils, are well described, and the facts of the petitions cited in proof of them. The second series of documents, illustrating the family wars, truces and peace, and the legal or quasi-legal right of vengeance, is introduced by a long and scholarly discussion, in which the condition of the medieval law on these points is thoroughly treated. The family proceedings by which pacts of peace were made and legal truce enforced are curious examples of the persistence of the fundamental German conception of the family as a legal unit; a conception which still prevails on the Continent in the "family council" for the settlement of various matters after the death of the head of a family. While there seems to be no trace of this Germanic idea in the common law of England, the idea of family entity still remains in the mountain districts of the South, where many of the scenes described in the petitions and discussed in the learned introduction might have taken place. The family feud is not so fully a thing of the past that even the historian of to-day can afford to neglect this study of medieval life.

The introduction takes up in turn: family feuds and the right of vengeance in Flanders; the family truce and the more permanent and binding family peace; the development of the law regulating such matters; and the legal right of private vengeance. The learned introduction is summed up in the concluding, and, may it be added, quite European sentence: "Vengeance will not disappear from our habits, the sentiment of honor will persist; but at least our texts show its disappearance from the law."

Vie de Jeanne d'Arc. Par ANATOLE FRANCE, de l'Académie Française. In two volumes. (Paris: Calmann-Lévy. 1908. Pp. lxxxiii, 553; 483.)

The Maid of France: Being the Story of the Life and Death of Jeanne d'Arc. By ANDREW LANG. (London and New York: Longmans, Green and Company. 1908. Pp. xvi, 379.)

M. ANATOLE FRANCE has read prodigiously in the literature of the first half of the fifteenth century, both French and also that of western Europe at large. He has put the result of his reading into a coherent and interesting narrative. Notwithstanding his industry and his gifts, his prejudices and his treatment of the authorities make his life of Jeanne d'Arc dangerously untrustworthy. Errors of statement and of reference inevitably creep into any book of a thousand pages, however carefully prepared, and M. France asks pardon for these mistakes most charmingly. Ordinarily the reviewer may point them out in a note, and may concern himself chiefly with the general quality of the book reviewed; but M. France's errors exhibit a strong and constant bias which vitiates the narrative as a whole. His brilliancy may well impose upon an ordinarily intelligent reader, while even a student may be impressed by the number and variety of his citations.

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Only a few typical illustrations of M. France's bias can be given here. Both in the *Scottish Review* and in his *Maid of France*, Mr. Lang has pointed out numberless errors of detail, important and unimportant. M. Salomon Reinach has filled with them pages of the *Revue Critique* in a review generally favorable. For example, M. France seeks to show that Jeanne was a saint of the later medieval type, like St. Catherine of Siena, and, in proof of this, that her acquaintances and contemporaries were especially insistent upon her saintly chastity. In his preface, p. xxvi, he observes, "Dès lors il ne suffisait pas qu'elle eût été chaste; il était nécessaire qu'elle l'eût été miraculeusement; il était nécessaire qu'elle eût poussé la chasteté et la sobriété dans le boire et le manger jusqu'à la sainteté. Aussi les témoins viennent-ils publier à l'envi: *Erat casta, erat castissima. Ille loquens non credit aliquam mulierem plus esse castam quam ista Puella erat. Erat sobria in potu et cibo. Erat sobria in cibo et potu.*" In support of this statement, M. France refers to four depositions taken at the second trial. His use of Latin shows that he intended literal quotations, inasmuch as three out of the four are in Latin, although translated from the deponents' original French. Except for a single "casta" at a page not cited by M. France, not a material word which he quotes can be found in these three Latin depositions, and in the French deposition of Aulon there is nothing which can be translated into M. France's Latin. At the second trial, seventy or eighty deponents, being invited to do so, wished in all sincerity to speak praise of Jeanne. They knew and assumed that she was chaste, but other characteristics were more distinctive. Six or eight of the deponents used the word "casta", but in no case with special emphasis, as M. France would have us believe. "Castissima" occurs but once, so far as I can discover (*Procès*, III. 18). Even her occupations of spinning and tending cattle are mentioned by the deponents oftener than is her chastity. M. France's theory of Jeanne is the opposite of the truth. The difference between her temper and that of St. Catherine was extreme. To say of the latter "*Erat sobria in potu et cibo*" would mislead; St. Catherine went far beyond temperance in the direction of saintly abstinence. Jeanne did not.

Again, it is M. France's theory that Jeanne was directed by one or more clever churchmen who made her their mouthpiece and puppet. No contemporary ever mentioned this prompter, and even M. France knows nothing of his name. Yet the growth of M. France's legend concerning him outstrips the growth of contemporary legends about Jeanne. He is suggested in volume I., at page 51. Before the bottom of page 52 is reached, he is known to have come from the banks of the Meuse, he has suffered greatly from the wars, and has gathered prophecies concerning the salvation of France which he has furbished up for his pupil's use. Not only is evidence wanting that Jeanne was prompted in her mission by intriguing churchmen or by others, but the contrary is proven beyond a doubt. After her capture, during the last year of her life,

prompting is obviously out of the question. Humanly speaking, she was absolutely alone. Upon M. France's theory a contrast would appear between her earlier and her later life. In fact the two are consistent; that which she had been at Vaucouleurs and Chinon, at Orleans and Rheims and Compiègne, she was at Beaurevoir and at Rouen.

The error of M. France's book is deep-set. From the foul mockery of Voltaire he is as free as from the moral enthusiasm which, by a strange perversion, was joined to it in Voltaire's mind. His mockery is as comprehensive, and, applied with the skill of a literary artist, it gives tone to very many pages of his book. Thus he writes "*Si nous ne savions de Jeanne d'Arc que ce qu'ont dit d'elle les chroniqueurs français, nous la connaîtrions à peu près comme nous connaissons Çakia Mouni*" (p. xv). Doubtless the account which these chroniclers give of Jeanne is not altogether consistent or accurate, but it is not less trustworthy than that given of Charles VII. or the constable Richemont, and it is more detailed. To speak of Jeanne as "*la petite sainte*", of her company as a "*béguinage volant*" or a "*troupe vagabonde*" is satire, and satire with little foundation. To impugn Jeanne's testimony and to suggest her mental weakness, M. France alleges strange lapses of memory which show that she had only "*un souvenir confus de certains faits considérables de sa vie*" (p. iii). He adds that her perpetual hallucinations for the most part prevented her from distinguishing truth from falsehood. No one else, I believe, has discovered this considerable confusion in her testimony; but, as M. France frequently takes her denial of a charge as conclusive proof of the charge, the confusion which he finds is accounted for. Jeanne was never a disciple of Frère Richard, as M. France often asserts and implies. To say that she "*brûlait de quitter la quenouille pour l'épée*" (I. 96) is the opposite of the truth, as appears throughout her story. The historical student thoroughly familiar with Jeanne's life and circumstances will profit from M. France's leisurely and illuminating excursions into contemporary literature, and will be aided by the side-lights which he often throws upon the course of events. Others should handle the book with misgiving.

In an appendix appears the medical opinion of Dr. Dumas, a distinguished physician, concerning Jeanne's psychological condition. Cautiously expressed, it yet illustrates the difficulty which necessarily besets a man of science in dealing with her case. The physician who diagnoses the ailment of his patient does so after personal examination of the symptoms, or, at the worst, after their examination by another qualified physician. Thus he is reasonably sure of his facts. But the master of natural science is seldom fitted for historical study, and, moreover, has not the time necessary for careful historical inquiry concerning the facts of Jeanne's life. Hence Dr. Dumas's opinion is based largely upon alleged symptoms which did not exist. It neces-

sarily resembles an expert's answer made in a court of law to the so-called hypothetical question, an answer commonly productive of much practical error. Dr. Dumas's review of M. France's book in the *Revue du Mois*, May 10, 1908, is less cautious.

Apparently Mr. Lang's life of Jeanne d'Arc began in a review which should refute M. France's errors. This Mr. Lang has accomplished by sound historical criticism condensed for the most part in learned notes because necessarily too detailed to interest the general reader. Mr. Lang's admiration of the Maid would not let him stop with a refutation of error, but made him go forward to produce a readable and, on the whole, a sound biography of Jeanne. He too has read deeply in the literature of the fifteenth century, though not so prodigiously as M. France, and his side-lights are thrown more faithfully, if somewhat less luxuriantly. A few of his conclusions will be disputed in minute detail. Only one question is of importance.

Mr. Lang believes that Jeanne went to Vaucouleurs before midsummer, 1428, was then repulsed by Baudricourt, withdrew to Domremy, remained there about six months, and returned to Vaucouleurs about January 1, 1429 (p. 333). The only considerable authority for the earlier visit is a single word in the deposition of Poulengy, who, speaking about twenty-six years after the event, said that Jeanne came to Vaucouleurs "circa Ascensionem Domini, ut sibi videtur". Poulengy testified in French, which was translated into the Latin above quoted. Several words may be suggested for which "Ascensionem" might easily have been substituted by a careless scribe. Poulengy testified that Jeanne promised help to Charles "before the middle of Lent", an unlikely form of promise if made but forty days after the former Lent was over, although very natural if made about New Year's. Novelompont, Poulengy's companion, testified that Jeanne made the same prophecy in January, and he said nothing about an earlier visit to Vaucouleurs. Mr. Lang suggests that if Jeanne had been speaking at New Year's, she would have mentioned the siege of Orleans; but in Poulengy's report of conversations with Jeanne which were certainly held in January, reference to Orleans is equally wanting. Jeanne's own testimony makes strongly against Mr. Lang's theory. "Dixit etiam quod vox dicebat sibi quod veniret in Franciam, et non poterat plus durare ubi erat; quodque vox illa sibi dicebat quod levaret obsidionem, coram civitate Aurelianensi positam. Dixit ulterius vocem praefatam sibi dixisse, quod ipsa Johanna iret ad Robertum de Baudricuria apud oppidum de Vallecoulis capitaneum dicti loci, et ipse traderet sibi gentes secum ituras" (*Procès*, I. 52). Jeanne was speaking of a visit to Vaucouleurs after New Year's in 1429, and would hardly have omitted all reference to an earlier visit, had one been made.

The question is of greater importance than appears at first sight. Mr. Lang says that Jeanne "resisted during three or four years the

commands of her Voices" to go to France (p. 46), and again he speaks of "the precise moment when Jeanne yielded to her Voices and determined to go into France" (p. 58). This seems to me to be contradicted by the tenor of Jeanne's life and by her testimony. "Interrogée se elle fist oncques aucunes choses contre leur commandement et voulenté; respond que ce qu'elle a peu et sceu faire, elle l'a fait et accomply à son pover" (*Procès*, I. 169). The leap from Beaurevoir and the recantation at St. Ouen were the exceptions which prove the rule. It is true that Jeanne's "Voices" first spoke to her more than three years before her departure into France, and that soon thereafter they spoke to her of succoring the kingdom. It seems probable, however, that at the first they chiefly told her to be a good girl, and that God would help her. Their prophecy that she should save France was at first vague, and became a definite command to go to the help of the dauphin and to raise the siege of Orleans only about Christmas time, 1428. Then the command was obeyed soon after it was definitely given. When Jeanne learned that she was bidden to go at once to war, she was reluctant, indeed, but that she disobeyed this command for months and years appears to me quite out of the question. By what steps the command of the "Voices" to succor France, at first general, became at length very specific, has not been much considered, but is worthy of study. Had she lived for years after her childhood in constant conflict with her "Voices" and in disobedience to their orders, yielding only to overwhelming pressure at the last, her spiritual life would have shown signs of the conflict, and would not have manifested the happy serenity, the unbroken love and reverence which made her what she was.

FRANCIS C. LOWELL.

Sir Francis Walsingham und seine Zeit. Von Dr. KARL STÄHLIN, Privatdozent an der Universität Heidelberg. Erster Band. (Heidelberg: Carl Winter. 1908. Pp. xiv, 662.)

ENGLISH biography as well as English constitutional and economic history has begun to furnish a field for German historical scholarship in recent years. Dr. von Ruville's notable life of the Earl of Chatham is probably the most important contribution to the history of eighteenth-century England that has appeared within the last two decades; and the first installment of the present work, which is planned on an almost equally ambitious scale, indicates that the Germans have waked up to the possibilities of Elizabethan biography also. Certainly the life of Walsingham furnishes an unrivalled opportunity. No Tudor statesman of equal importance has remained so nearly "undone" as he; while on the other hand the various Elizabethan calendars have for years past afforded an excellent guide to the sources, and otherwise facilitated research. Dr. Stählin certainly showed wisdom in his choice of a subject.

His work is obviously the result of prolonged and painstaking research. An introduction of thirty pages describes the family history of the Walsinghams from medieval times down to the Reformation; the first book (230 pages, in three chapters) discusses the youth, training and first political activities of Sir Francis up to the year 1570; the second, which forms the bulk of the volume and completes it, is exclusively occupied with a minute description of his embassy to France up to 1573. The thoroughness and solidity of this part of the work is beyond question. Every fine point of the French marriage negotiations is laboriously discussed, every tangle of cross-purposes unravelled, every phase of Walsingham's stay in Paris (no less than ten are specifically enumerated) is subjected to the closest scrutiny. But there is little imagination, no sense of humor, and a conspicuous absence of light and shade which leaves the reader utterly bewildered at the close. With all his research Dr. Stählin has not been quite able to put himself in the place of the man whom he describes; and the interest of his narrative suffers greatly in consequence. Moreover when dealing with internal affairs his judgment and estimate of the relative values of different authorities are by no means always to be implicitly trusted. The unsupported assertion of the erratic eighteenth-century antiquary, Browne Willis, for instance, is certainly an inadequate foundation for the positive statement on page 126 that Walsingham sat as member for Banbury in Elizabeth's first parliament, especially in view of the fact that the official lists of *Members of Parliament* printed by order of the House of Commons (*Parl. Pap.*, 1878, 69, pt. 1., pp. 400-402) give no return for that town in 1558-1559.

It would not, however, be fair to imply that the book is disfigured by many such blemishes as this. Though its bulk and lack of proportion render it almost unreadable for any but the specialist, it will long remain a mine of valuable information concerning one of the most complicated periods of Elizabethan history; and its use will be rendered far easier than that of many other similar productions by an admirable index of names and places. A second volume, which is to contain a critical bibliography and an essay on the manuscript sources, will complete the work.

ROGER BIGELOW MERRIMAN.

The Origins of the British Colonial System, 1578-1660. By GEORGE LOUIS BEER. (New York: The Macmillan Company. 1908. Pp. viii, 438.)

IN 1907 Mr. Beer issued the first volume of his series upon the old colonial policy of Great Britain, in which he presented in a new and convincing fashion the fundamental causes of the separation of the colonies from the mother country. He now turns back to the beginnings of his subject and analyzes with great thoroughness and skill the origins

of British policy, tracing step by step the growth of certain financial and commercial principles that were to be the bases, at a later time, of a definite colonial system. In future volumes he will fill in the gap from 1660 to 1754, a task requiring at least three volumes more and involving the handling of many exceedingly difficult and obscure problems.

Mr. Beer views the colonies as the outcome of a natural process in British expansion and as furnishing from the beginning all the conditions of a new experiment. The establishment of the colonies in America "was not the result of isolated or fortuitous circumstances but, like all great historical developments, was intimately connected with the main currents of the world's political evolution". Our colonial period was not merely the earliest phase in the rise of an independent nation, it was still more the time in the history of a world-wide colonizing movement when Great Britain sought so to mould metropolis and colony as "to conform to the prevailing idea of a self-sufficient empire". In the eyes of the men of the early seventeenth century Virginia, Massachusetts and Barbadoes were not separate communities detached from the mother country, but were outlying dependencies serving to reinforce the mother state in its natural and inevitable conflict with other European maritime powers. The relationship thus created gave rise to certain principles of control not formulated by theorists or doctrinaires but prepared in the crucible of practical necessity. These principles shaped themselves gradually in practice and like all great social and governmental ideas had been long in actual operation before they became fixed in the writings of the mercantilists.

The great merit of Mr. Beer's book is that it traces these principles back to their origins and follows their appearance one by one, at different times and under different circumstances, in the gradual shaping of something like a colonial system. This evidence does not show us any completed or articulated scheme of control, but it does show that such a system was in process of crystallization earlier than has commonly been deemed to be the case. All the essential ideas of the mercantilists regarding the colonies as sources of supply for the mother country alone are to be found well established before 1640. England was already applying most of the injunctions laid down in the navigation acts twenty years before those acts were drafted, so that the great statutes of the reign of Charles II. were rather a culmination than a cause. England was encouraging the colonies to produce what had to be bought of other countries and was forbidding them to traffic with foreigners or to allow foreigners to traffic with them. Similarly she was viewing the colonies from the standpoint of her customs and her shipping, and as a place of receipt for her criminals and for the vagrants of her cities. She was making herself the vent and staple and was borrowing from the practices of the merchant companies the idea of a monopoly of trade.

All these points Mr. Beer brings out with great clearness and supports them with a wealth of evidence, and the chapters which contain the

exposition of his main thesis are the most important portions of his book. Less novel are the pages devoted to the beginnings of the administrative system and less convincing in that they seem to show a more orderly scheme of colonial control than the various experiments of the period would warrant us in accepting. Management of the colonies in the years before 1660 was little more than an attempt to find a way without adequate chart or compass and, as compared with the comprehensive system gradually called into existence after 1660, was casual and almost haphazard. I differ very unwillingly from a writer who has made this field so peculiarly his own, but I am unable to believe that the attitude of the early Stuarts toward Virginia and Massachusetts was actuated by any lofty plan of imperial unity. The motives seem to me to have been essentially political and religious and not colonial in the true sense of that word. Similarly, I am unable to believe in the greatness of Cromwell as the founder of a colonial system. Circumstances demanded an extension of the power and authority of the Commonwealth and thereby created an apparent tendency toward centralization in the various parts of the British dominions, but it certainly was not accompanied by any adequate scheme of colonial organization. I cannot believe that either Cromwell or the early Stuarts conceived of a colonial empire in anything like the later sense of that term. Differences of opinion may be nothing more than differences as to the motives of those who were the ruling powers in England. As Mr. Beer himself says, "the time was not ripe for the establishment of a comprehensive and symmetrical system of colonial control". The age before 1655 was still religious and men were not thinking "colonially". But they were working out more or less unconsciously some of the essential principles that were to find embodiment in the well-developed colonial policy of the more modern age that followed. This fact Mr. Beer demonstrates with absolute conclusiveness.

CHARLES M. ANDREWS.

A History of Modern Liberty. By JAMES MACKINNON. Volume III. *The Struggle with the Stuarts, 1603-1647.* (London and New York: Longmans, Green and Company. 1908. Pp. xviii, 501.)

THE monumental work of Professor Mackinnon makes rapid progress in spite of its bulk. Not only has he completed the third volume, but his preface tells us that the fourth is already in manuscript. The plan of his task now appears fully developed. It is, in itself, interesting, for it is proposed, practically, to rewrite certain selected portions of history most identified with the development of political liberty, from that standpoint. In pursuance of this idea volume I., on the Middle Ages, and volume II., on the Reformation, have already appeared. Volume IV. will conclude the struggle with the Stuarts, volume V. will treat of

the revolutionary movements of the eighteenth century, especially in America and France, volume VI. will be devoted to the French Revolution from 1789 to 1804, and the two concluding volumes will discuss the Revolutionary and Emancipation movements in the nineteenth century. It is an ambitious and an inspiring task which Professor Mackinnon has set himself. One cannot but admire the energy required to fill eight stout volumes such as these. Unquestionably such a work is worth doing. But whether it is worth doing on quite such a scale, to attain its highest usefulness, may perhaps seem doubtful to some. No one can, of course, pretend to know at first hand so many and such different fields as are here covered, so that with all the ability, the goodwill and the energy in the world a single author must, of necessity, depend largely on the work of others. And there is no doubt that the world contains relatively few persons even among scholars or disciples of liberty who will read this work, compared with the public it would have if it were expressed in one or two volumes. Such a conclusion is one that inevitably suggests itself at the outset and does not grow fainter with reading. None the less the present volume, if one lays aside the feeling that so much of it has been said before, contains a considerable amount of good reading, some interesting information and points of view more or less new. In particular, it gathers up in one place very conveniently much that is expressed in many other scattered works. The author has had the great advantage of Professor Gardiner's investigations to guide him through the tangled politics of the period. But he has evidently looked into the sources on his own account, especially those directly related to his particular subject. Covering a well-worn field he approaches it from a different direction than that of the purely political historian, and often contributes if not greatly to the knowledge at least to the understanding of some movements elsewhere more lightly dwelt on. Though naturally a strong champion of Parliament he is, in general, fair-minded with respect to their adversaries, and not blind to their faults, as his estimate of Pym shows. And his opinion of the Solemn League and Covenant is unusually judicial. He has a bibliographical scheme of his own, growing, no doubt, from the character of his work. He puts at the end of each chapter a list of authorities upon which it is based, these being in some cases evaluated. Useful in itself and peculiarly suited to his purpose, this gives no clue to his authority for individual statements of fact or opinion. It would be impossible in any brief space to enumerate those with which one might, for one reason or another, differ. In a sense it would scarcely be worth while, in that few of them affect the value of a history of liberty. However much they might be questioned were the book a history of political events, they are in the main on matters little affecting the progress of liberal ideas. One notes with some surprise, however, that the index contains no reference either to the Diggers or the Levellers, nor so far as has been found, any notice of one of the most useful and inter-

esting studies on this subject, Borgeaud's *Rise of the Democratic Spirit in England and America*. One notes also rather less than might be expected of that sturdy nonconformist John Lilburne, however much one may agree that "on the whole I . . . am glad he is in the history of England, but think he was an ass." On the contrary we must be grateful for the long and interesting account of Scottish thought and action in this period, which to those of us inclined to consider England too exclusively, will prove the most valuable and suggestive part of the book.

Ireland under the Stuarts and during the Interregnum. In two volumes. By RICHARD BAGWELL, M.A. Volume I., 1603-1642. Volume II., 1642-1660. (London and New York: Longmans, Green and Company. 1909. Pp. xv, 370; xii, 388.)

IN 1885 appeared the first two volumes of Mr. Bagwell's *Ireland under the Tudors*, which was completed by the publication of the third volume in 1890. The present work begins with the accession of James I. and ends with the Restoration. Within two years a historian of England has written that "there is no general history of Ireland in the seventeenth century adequate at once in scale and research." So far as the period thus far covered by Mr. Bagwell is concerned, that reproach has been wiped out. If, as we hope, he is able to complete his work through the Stuart period as he plans, it will be removed altogether. Since he began his investigations into the history of Ireland a large proportion of the material used in these volumes has found its way into print. The *Calendars of State Papers, Ireland*, has been completed down to and including 1669. Grosart's edition of the *Lismore Papers*, and Mrs. Townshend's *Life and Letters of the Great Earl of Cork*, Miss Hickson's *Ireland in the Seventeenth Century*, chiefly consisting of the depositions and documents relating to the rebellion of 1641, together with books like Lord Fitzmaurice's life of Sir William Petty, and the valuable contributions of writers like the late Mr. Falkiner, have done much to provide material for such a study. In addition to these Mr. Bagwell has, of course, consulted the mass of material previously printed, and much still remaining in manuscript. It is peculiarly unfortunate in such a work as this that he, like Professor Gardiner, has been denied access to the Strafford Papers in Lord Fitzwilliam's hands. They would perhaps have added something to his admirable account of that statesman's activities in Ireland. His bibliography, one observes also, does not note the work of Continental scholars in his field, like that of Bonn, who in his *Englische Kolonisation in Irland* has contributed a good deal to the understanding of the subject. Nor has he regarded much the wider aspects of the case, the corresponding movement in America, or the detailed course of English affairs save as they directly concerned specific Irishmen or Irish events. He has stuck very close to his text.

Even the appearance of Colonel Jones and his troops in Ireland comes upon one with an element of surprise no doubt akin to the effect produced on the men of his time. In one direction, and that unconnected with the narrative, the present volumes may be open to criticism. That is in the scarcity of maps. To most readers, even to most scholars, the geography of Ireland in the seventeenth century is as vague as that of America to many Englishmen in the twentieth, and more maps would have been very welcome. With such an immense mass of names it may have seemed impossible to include them all in the index, though this would have added to the value of the book. And though the omission of the older divisions, Ulster, Leinster, Munster and Connaught, may, in a sense, be defensible, their inclusion in the index would have been logical and useful. Among minor matters one may observe that Mr. Corbett notes in his life of Monk certain details of that general's operations in Ireland which, especially a letter from the Longleat MSS. (pp. 24-25), throw some light on that period, particularly on the affairs at Portnahinch and Kilrush, and the operations in Kildare and Queens County in 1642. Similarly the work and character of Sir Richard Grenville might have been illuminated by certain notes in his biography which has recently appeared. Doubtless many such additions might be and will be adduced. Yet the sum of them will not materially affect the value of such a work as this. All the adjectives which greeted the appearance of Mr. Bagwell's earlier volumes, judicial, impartial, dispassionate, restrained, may well be repeated here. For as a result of his long and patient investigation we have the first adequate account of a peculiarly vexed and important period, careful, scholarly, accurate. Comparison with other books in the same field is practically impossible for there are none such. Miss Hickson's useful book confines itself to a narrower range and, even so, is rather documentary than narrative. Father D'Alton's interesting volumes cover a far larger field and devote relatively much less space to the period here covered. Almost all other books are more or less controversial. Mr. Bagwell's work is in sharp contrast to this. His style is sober and restrained. Controversy is sedulously avoided, and even on the most vexed points he contents himself almost invariably with stating the facts and evidence. In the most controverted period, that of the Rebellion, he confirms Miss Hickson's work and conclusions. At times his narrative is direct even to baldness. "Neill Gary had warned O'Dogherty not to fight, but he neglected this advice and was killed by Irish soldiers who wanted his land. His head was sent to Dublin and stuck up on a spike over the new gate" (I. 56-57). Coote "never went to bed during a campaign, but kept himself ready for any alarm and lost his life in a sally from Trim during a night attack, at the head of seventeen men, the place being beset by thousands" (II. 332). This is not the manner of Froude. Indeed one might at times be glad of more generalization and, especially in the extraordinary confusion of the wars, a more pronounced guidance. Mr. Bagwell has

that most important asset of a historian, knowledge, not merely of facts, dates, places and events, but of the men in his period, which adds incalculably to the value and interest of his work. The light thrown on the character of the viceroys and their activities is thus very great, and the motives of the great number of participants in the struggle are developed generally by simple statement of their own words and deeds. In short, Mr. Bagwell has not merely produced the best history of Ireland during this period, but the only one in its class. And he has laid a heavy debt of gratitude on reader and scholar alike for a contribution of the highest value in a field at once one of the most difficult and important in modern history.

W. C. ABBOTT.

Sir George Mackenzie, King's Advocate, of Rosehaugh: his Life and Times, 1636(?)–1691. By ANDREW LANG. (London and New York: Longmans, Green and Company. 1909. Pp. xii, 347.)

SOME seven years ago Mr. Francis Watt published in his *Terrors of the Law* a brilliant, vivid portrait of "the Bluidy Advocate Mackenzie". That little sketch, not mentioned, it happens, by the present author, placed the king's prosecutor abominated of the Covenanters in a more favorable light than he is commonly regarded. Mr. Lang now offers us an exhaustive study of his life and times which is an apology, though a qualified one, not only for the man but for the government which he represented. The author's thesis is that "in the education of Scotland the Restoration was a bitter but necessary movement"; that, granted Charles's agents were cruel and unscrupulous, they succeeded in breaking down the intolerable claims of the extreme Presbyterians, a task which gentler means and more worthy men would never have accomplished. Mackenzie, however, while with them, was in many respects not of them. He was "a scholar, 'the flower of the wits of Scotland', an erudite and eloquent pleader, a writer who touched on many themes,—morals, religion, heraldry, history, jurisprudence,—the author of perhaps the first novel written on Scottish soil", he was "a thoroughly modern man, one of ourselves set in society and political environment unlike ours, and perverted by his surroundings", and "the times brought to the surface of his nature elements which, in a more settled age, would have laid dormant and unsuspected by himself." He was the servant of his master and "he adopted . . . the policy of repression, when . . . the policy of concession was surrounded by insuperable difficulties." His career is traced in chronological detail in connection with the events of the period and some space is devoted to his writings.

Mr. Lang shows his usual minute and varied learning, and brightens the gloomy and stormy sketches over which he passes with occasional flashes of wit. New light is thrown on old problems; for instance, new

material is marshalled (pp. 32 ff.) to strengthen the case against the Marquis of Argyle, executed in 1661, and (pp. 204 ff.) it is shown as never before how much clan animosity had to do with the ruin of Argyle's son, the ninth earl, in 1681, though Mr. Lang seems to contradict himself (pp. 216 and 233) in trying to explain the attitude of the Duke of York. If one is particular about "cheese-parings" he cites reasons for putting the date of Mackenzie's birth two years later than the traditional 1636. Yet, while it has many merits, the book is hard reading. We are led through labyrinths of detail, events are alluded to rather than described, and, to use the author's own words in another connection, "his characters are as numerous as the grains on the ribbed sea sands." More than one point of controversy is treated in a perplexing or inclusive fashion (*cf. e. g.*, pp. 83 and 325), and the hero is at times obscured in a Scotch mist.

As to details, Mr. Lang seems to minimize the political importance of the Church of Rome in pre-Reformation Scotland (pp. 11-12); 1660 as the date for the defeat at Rullion Green is a misprint for 1666 (p. 84); White Hall (p. 239) is commonly written as one word; it is not made clear whether Lockhart's appointment as King's Advocate was intended to be temporary, or whether Dalrymple crowded him out (pp. 290-292). We must hope that it is a typographical error which makes a Scotchman err in a scriptural name. It was Uzzah not Uzziah who came to grief for touching the Ark (p. 174). All in all, however, we should be grateful to Mr. Lang for his generally sane attitude and for scholarly findings in a period where so much has been distorted by political and theological prejudice.

ARTHUR LYON CROSS.

Le Secret du Régent et la Politique de l'Abbé Dubois (Triple et Quadruple Alliances), 1716-1718. Par ÉMILE BOURGEOIS, Professeur à l'Université de Paris. [La Diplomatie Secrète au XVIII^e Siècle, ses Débuts.] (Paris: Armand Colin. 1909. Pp. xxxvi, 384.)

THIS volume is the first in a series of three dealing with *La Diplomatie Secrète au XVIII^e Siècle*. From its extensive use of new documents, its wide knowledge of the literature, its keen and discriminating judgments, and its clear and vivid narration, it is a work worthy of the reputation of Professor Bourgeois and of the Prix du Budget awarded by the Académie des Sciences Morales et Politiques. Its merits are appreciatively but judicially discussed in an opinion rendered by Sorel, with the award, which is printed in the preface.

The carefully classified bibliography contains an exhaustive list of the materials in French. The author's researches in the archives of other European countries are avowedly less extensive. With respect to England, for instance, except the *Mémoires de Cellamare* no unprinted

sources are indicated, and of the printed only the older, better known ones appear. Professor Bourgeois explains this on the ground that his work here has been based on Wiesener's *Le Régent, l'Abbé Dubois et les Anglais d'après les Sources Britanniques*. As to modern books, in view of some that find a place, it is strange that Blok's *Geschiedenis van het Nederlandsche Volk* does not appear, nor Mr. Wiston-Glynn's recent work on John Law. Altogether, however, there is ample evidence for the claim of the writer that his examination of the *politique* of the regency, excepting the books of Wiesener and Baudrillart, largely based on English or Spanish archives, and the study of Father Briard, biographical rather than historical, is the only attempt since Lemontey to deal with the subject from the French sources.

Professor Bourgeois's thesis is that the policy of the Regent, inspired by Dubois, was directed toward their own personal ends in contrast with the official traditional policy of Louis XIV., which, it is maintained, was for the manifest advantage of France as a whole. After the Peace of Utrecht the Grand Monarque aimed to maintain the union with Spain, to reconcile Austria, thus leaving France free to develop her colonial policy and forcing England, isolated from the Continent, to renounce her maritime supremacy. Peace was menaced by the House of Farnese in Italy and by the House of Hanover in the north: Louis's aim was to neutralize Italy and to oppose the Pretender to Hanover. But Dubois worked with the Regent to frame an alliance with England and Holland, and subsequently with Austria, in order to secure the succession in the event of the death of Louis XV. This was in reality, as Sorel points out, the "secret of Dubois", since he originated it, rather than that of the Regent. Dubois sought as his own reward the cardinal's hat and the office of minister of foreign affairs. To obtain their ends the Regent and his counsellor alienated the majority of the French, gave up the cause of the Pretender, granted commercial concessions to the Dutch, demolished Mardyke, contributed to England's aggrandizement. To secure the adherence of Austria the neutrality of Italy was violated, which led to war with Spain, "one of the paltriest languid wars", growled Carlyle, "of extreme virulence and extreme feebleness". In the north Sweden was abandoned, and Russia which might have acted as a check on England was rebuffed. While professing peace the diplomacy of the two political gamesters "cut and pared" the states of Italy "like Dutch cheeses", stirred up dissension in France, and divided Europe into two irreconcilable camps. In his hostile estimate of the policy of Dubois and his master it is a question if Professor Bourgeois does not exaggerate the foresight of Louis XIV., and, admitting the self-seeking of the new policy, his treatment would have been more convincing if the advantages of continuing the old had been more fully discussed.

As to particulars, new or more complete evidence is produced against many traditional views. For example, Saint-Simon's spiteful account of Dubois's low origin seems to be discredited beyond peradventure, and

Dubois is exonerated from the old charge of pandering to the vices of the Regent in his youth. The view is again and effectively attacked that Charles XII. had any intention of invading England in 1717; the whole scheme was a device of Goertz to extort money from the Jacobites. Also Alberoni is pictured in a less aggressive light than commonly. There are many exquisite pen-portraits, and the devices by which Dubois sought to secure his ascendancy in English society are piquantly described. A few slips are to be noted. John Dalrymple, Earl of Stair, appears (p. 34) as Lord John Dalrymple Stair; Hamptoncourt (p. 246) is unusual, and one wonders what can be meant by "St. Martin Scort" (p. 251). The Prince of Wales was not named "Regent" on the king's journey to Hanover in 1716 (p. 137) but "Guardian of the Realm and Lieutenant", an office unknown since the days of the Black Prince. Stanhope became (p. 173) Chancellor of the Exchequer as well as First Lord of the Treasury in 1717. There was no "Duke" of Dorset till 1720 (p. 83), and the reviewer knows of no "Duchess of Sandwich" (p. 243). It is hardly just to say (p. 62) that the Jacobites were shot *en masse* after the Rising of 1715.

ARTHUR LYON CROSS.

British Colonial Policy, 1754-1765. By GEORGE LOUIS BEER. (New York: The Macmillan Company. 1907. Pp. x, 327.)

FROM all the preceding books upon his subject and period, Mr. Beer's *British Colonial Policy, 1754-1765*, differs radically in respect either of its method or of its point of view. From most of its predecessors it differs in both respects. And its differences, with scarcely an exception, are to Mr. Beer's credit and to his reader's profit. The point of view is that of English officialdom, of the men who, in administrative office, and sometimes in legislative position, felt themselves responsible for the conduct and control of the empire over seas. The method is a patient and systematic examination, volume by volume, and page by page, of the traces which their activities have scattered through the files of the London Record Office. This is a work which needed to be done. And it needed to be done as Mr. Beer has done it, in a spirit of sympathetic appreciation for their difficulties, but not of blind acquiescence in their conclusions.

The book falls into two nearly equal parts. The first (chapters I.-VII.) is concerned with the test imposed upon Britain's traditional colonial policy by the experiences of the Seven Years' War; the second with the efforts of the colonial administrators to reshape that policy in the light of their recent experiences. Mr. Beer first shows that, in return for a colonial obedience more or less complete, Great Britain had long afforded the American colonies constant naval protection at her own cost, and had even spent large sums upon frontier garrisons and Indian presents. But for the rest she still expected the colonists

to assume the chief burden of their own local defense in time of European peace; and this, in fact, they had measurably done. The approach of war, however, put a new face upon the problem of colonial defense, and after the failure of the Albany Congress (chapter II.) and the refusal of the colonies not merely to assist one another, but even to provide adequately for themselves, colonial administrators on both sides of the Atlantic were for a few months prolific in plans for meeting the cost of imperial defense by Parliamentary taxation (chapter III.). These were, to be sure, temporarily laid aside for political reasons, but they were not forgotten. And when peace arrived the fiscal problem had been cleared by the complete breakdown of the requisition system—admirably traced in chapter IV.—and the need of Parliamentary taxation had been demonstrated to the entire satisfaction of the official mind. Meanwhile another factor had appeared, destined to exert a great and perhaps a decisive influence upon the course of colonial reforms after the war. This was “an illegal and most pernicious Trade, carried on by the King’s Subjects, in North America, and the West Indies, as well to the French Islands, as to the French Settlements”, whereby, as Pitt believed, France was “principally, if not alone, enabled to sustain, and protract, this long and expensive War” (p. 105). In the only adequate treatment of this subject ever published, Mr. Beer shows in detail and beyond question (chapters V.—VII.) that this treasonable trade gained vast dimensions in spite of numerous prohibitions by colonial authority, and of the determined efforts of the home government to suppress it by the use of courts of admiralty and writs of assistance on shore, and of many vessels of the royal navy at sea.

The second part of the book, which traces the reshaping of colonial policy in the light of war experiences, is introduced by an interesting chapter (VIII.) on the pamphlet controversy whether England should retain Canada or the French West Indies. Herein Mr. Beer finds “a change in the economic theory of colonization”, from the ideal of a colony which “produced commodities that the mother country would otherwise have to buy from foreigners” to “the more modern view that colonies should primarily furnish a market for the mother country’s manufactures” (pp. 134–136, *passim*). He realizes, to be sure, that both ideas had long prevailed, as indeed was almost inevitable, since each is complementary to the other; but his desire to find in this change of theory a clear and striking explanation for the ensuing changes in the colonial system has perhaps led him to exaggerate its importance, or, at least, its abruptness. Certainly the tenth chapter, which explains in detail the changes made in the enumerated commodities and the bounty system in 1763–1765, seems quite to justify the conclusion (p. 226) that the aim of these “purely commercial regulations” was “to encourage and not to restrict colonial industry”, while, similarly, the

eleventh chapter, dealing with the causes that produced 4 Geo. III., c. 15, seems to show beyond doubt that "experiences during the war", and not a change of economic theory, formed their basis (p. 228). In the revenue acts of 1764 and 1765, which are the subject of chapter XIII., Mr. Beer returns to the fiscal motive with which he began, and the concluding chapter, on colonial opposition, well brings out the fiscal character of the Sugar Act of 1764, and its effect in preparing New England to resist the more famous Stamp Act of the following year.

Of the book as a whole its author justly says that its focus of interest is the British Empire, and not the rise of the American nation; that it is on its positive side a portrayal of British policy, and only on its negative side an account of the preliminaries of the American Revolution, and hence, if viewed as a study in American history, it is incomplete. Nonetheless it constitutes, in the reviewer's opinion, the most substantial contribution to an understanding of the causes of the American Revolution that has appeared since Mellen Chamberlain wrote his chapter for the sixth volume of Winsor's *Narrative and Critical History*, twenty years ago; while upon its own direct subject it is not only unrivalled but unapproached by any one.

Passing to more detailed criticisms, it is obviously a matter of taste whether one shall agree with Mr. Beer that the Molasses Act of 1733 "was not an integral part of the colonial system proper" (p. 291). It was, indeed, at strife with the purpose of making a market in New England for British woolens; but in that circumstance it is possible to see not an aberrancy from the colonial system proper, but only an exceptionally clear manifestation of that internal conflict of interests by which the colonial system proper was rent at last. It is also to be regretted that Mr. Beer has not increased the usefulness of his very full notes by making references to the *New York Colonial Documents* and similar works, when, as often happens, they contain papers used by him, but concealed from common knowledge under citations like "B. T. N. Y. 34 Mn8". These are, however, small matters, whose enumeration can but serve to emphasize the general impeccability of the work.

C. H. H.

Reformversuche und Sturz des Absolutismus in Frankreich (1774-1788). Von HANS GLAGAU, ao. Professor a. d. Universität Marburg. (München und Berlin. R. Oldenbourg. 1908. Pp. viii, 396.)

"In its origin, the revolution was no movement in favor of political liberty, but rather an agitation in behalf of reform and order", and among the leaders in this early period, "undoubtedly the Physiocrats played the most important role. It was they who enticed the monarchy

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into the path of reform and, as the determined opponents of corporations, summoned it to the struggle against the privileged classes and privileges, preached with passionate enthusiasm the necessity of a revolution from the top down that should overthrow all class barriers, sweep away the remains of the feudal constitution and make of France a modern, unified state" (p. 9). De Tocqueville (*L'Ancien Régime*, p. 264) called attention to the importance of the work of the Physiocrats, but did not develop his theme. Cherest (*La Chute de l'Ancien Régime*), concerned with the fall of the old government, began his work with a study of the Assembly of the Notables. The latter part of Glagau's volume overlaps Cherest's first volume, the Assembly of the Notables entering into both, but the conceptions underlying the two syntheses are quite different. In the synthesis of Professor Glagau, the assembly marks the failure of the monarchical government to reorganize France, sweeping away privileges and establishing a strong central power with equality before the law, but with no new responsibility on the part of the government or means of control on the part of the French people; for Cherest, the assembly was the beginning of the Revolutionary crisis. The treatment of the Assembly of the Notables by Glagau, resting as it does upon a complete knowledge of the printed and manuscript sources, is much more satisfactory than that by Cherest.

The purpose of Professor Glagau was to give an adequate account of this very important attempt of the old government to solve the reform problem and to show that its failure was due to the opposition of the classes threatened by the loss of their privileges and of the nation that feared the increased power the reforms would put into the hands of an irresponsible government. An introductory chapter on the programme of the Physiocrats is followed by studies on the ministries of Turgot, Necker and Calonne. The reforms of the first were based on the destruction of privilege and the strengthening of the central power; Necker's plan rested on reform combined with decentralization and would have weakened the central government; Calonne borrowed from both of his predecessors, but followed Turgot more closely than Necker. Although the volume of Glagau is a monograph and its aim a correction of perspective rather than a study of detail, the new material that he had at his disposal and a more careful interpretation and combination of the old led him to many new and important conclusions. The most important, perhaps, is the explanation for the fall of Turgot found in the difference of opinion between himself and the king on the advisability of supporting the colonists against England.

The new material utilized in the preparation of the volume consists of the unpublished reports of the Austrian ambassador Mercy (archives in Vienna) and the *mémoires*, letters and other documents in the Paris archives. An appendix of sixty pages contains eight *mémoires* of Calonne on the Assembly of the Notables addressed to

interests. The chapter on the relations of France and America is delightfully "French". Skipping lightly over the sources of international exasperation, the tariff adjustment, the church policy, etc., M. Tardieu notes, as important, the fervid rhetoric of our orators on ceremonial occasions. So it is: the Revolution period when French royalty gave us aid in order to stab its British foe in the back is well remembered, but, as most of us also know, the First Republic sought to blackmail us. Napoleon sold Louisiana for his own purposes, but for his own purposes likewise he laid heavy burdens on our commerce which were almost intolerable. Some other similar sources of exasperation in recent times are quite as historical and equally well remembered. There is a fervent desire in America for the welfare of France, but the amazing hoards of French savings are quite as available for our disadvantage as for our benefit in serious crises. In short, the exaltation of mind in our journalistic lecturer, adroit and able as he is, rather sates the reader than satisfies him. This seems to have been felt at home some time ago, for *Le Temps*, as is generally believed, no longer leads in the race for authentic news from the Ministry of Foreign Affairs. In any case there is greater caution on both sides.

Aside from its disconcerting lucidity, the volume is noteworthy for several "feelers" which it extends apparently with the hope of calling forth expressions of opinion as to the future. France is asserted and is believed to have abandoned her revenge in the sense of going to war for the recovery of Alsace-Lorraine. But what would Europe do in case, where tension is greatest, that is between Germany and England, there should be a breach? The former blockaded by sea, with her ports held to ransom and her commerce destroyed, would still have her mighty army. Presuming the desire of France to remain neutral, M. Tardieu questions her power to do so and, gratuitously as it seems, pictures Germany attacking France for no other reason than to fight where she can, and secondarily to hold a hostage for the day of readjustment. This sounds like an attack of nerves, but it is used to spur Russia to the strengthening of her army, and move France herself to greater and ever greater preparedness for war as a guarantee of peace. But the main question is, after all, what would Europe and America do in the hypothetical case of such flagrant defiance to the rights of neutrals and the general principles of international law?

Another such "feeler" is put forth in the cautious treatment of American relations to European affairs. It is represented that we have but one concern, the maintenance of the existing balance of power in the interest of peace. The continued use of italicized "*statu quo*" throughout the book is unfortunate because whatever that may mean in France, English and American readers are annoyed by it. But the thesis of the book is at least indicated by it. The existing equilibrium suits France, and probably England; it certainly does not find enthusiastic support elsewhere. How about the United States? If it were

true that the Russo-Japanese War had its initial impulse in Germany's policy to weaken Russia in Europe; if it were true that the British-Japanese treaty was a check to American aspirations on the Pacific; in short if many other inuendoes were based on fact, the "feeler" might call forth a response. As matters are, the event will exhibit the truth, and it will be time enough to answer such questions when they are no longer academic as they now are.

Modern Constitutions: a Collection of the Fundamental Laws of Twenty-two of the Most Important Countries of the World, with Historical and Bibliographical Notes. By WALTER FAIRLEIGH DODD. In two volumes. (Chicago: University of Chicago Press; London: T. Fisher Unwin. 1909. Pp. xxiii, 351; xiv, 334.)

THIS set contains a carefully edited collection of important written constitutions, with amendments, in force at the beginning of the year 1907. Some important changes of even later date are incorporated, such as, for instance, the new suffrage laws of Austria, and the newer organization of the Russian Duma.

A brief sketch of constitutional development and a select bibliography accompany the fundamental laws of each country. A four-page general bibliography and a twenty-page index with cross-references add to the value of the work. The typographical appearance of the volumes is neat, and the effect of the set as a whole is attractive.

Although the title mentions twenty-two countries, twenty-three documents are listed, the difference arising apparently from the fact that Austria-Hungary is counted as two countries and their fundamental laws given, as well as the fundamental general law, for the empire as a whole. Outside of Europe the constitutions included are those of Japan, England's federated colonies of Canada and Australia, the United States of America, and four of the Latin States of America, *viz.*, Mexico, Brazil, Argentina and Chile. Naturally enough, all of the federations of any consequence are included with the exception of Venezuela, which in form, at least, is a federative republic.

Many of these constitutions are already accessible in English, and others are contained in foreign collections of texts readily found in important library centres, but it is unquestionably convenient to have at hand so many fundamental laws, brought down to date, and translated into good idiomatic English. The collection of fourteen foreign constitutions issued in 1894 for the use of the New York State Convention was sadly lacking in this respect and was defective also because of the wide variation in terminology used by the several translators. In this set a consistent technical vocabulary throughout is emphasized, though occasional slips might be enumerated, as, for example, when the ambiguous word "unitarians" is used in one place to denote the opposition to

federation (I. 1) and in another place the phrase "supporters of centralization" (II. 38). In passing it may be said that the Mexican constitution of 1824 (II. 37) is fully as much Spanish in origin as American, many sections being taken bodily from the Spanish constitution of 1812, which in its turn derived the substance of its provisions from the constitutions of the French Revolution. A rather careless slip may be seen on page 294 (volume II.) where the note states that the Apportionment Act of 1901 provided for a membership of 391 in the Lower House of Congress. The proper number of course is 386, with five since added for Oklahoma.

The collection as a whole is excellent and will prove to be well-nigh indispensable to that large and growing body of students who desire to compare the governmental systems of states so as to gain thereby a clearer knowledge of the underlying principles of political development.

J. Q. DEALEY.

BOOKS OF AMERICAN HISTORY

Guide to the Manuscript Materials for the History of the United States to 1783, in the British Museum, in Minor London Archives, and in the Libraries of Oxford and Cambridge. By CHARLES M. ANDREWS and FRANCES G. DAVENPORT. (Washington: Published by the Carnegie Institution. 1908. Pp. xiv, 499.)

PROFESSOR ANDREWS and Miss Davenport, together with all students of the history of the American colonies and Revolution, are to be congratulated on the publication of this the first installment of the Guide to the manuscript materials in the British archives which relate to the United States. The present volume contains an inventory of the materials in the British Museum, the Privy Council Office, the House of Lords, in Lambeth Palace, Fulham Palace and in the possession of the Society for the Propagation of the Gospel, in the libraries of Oxford and Cambridge, and in various smaller repositories. To the vast collections in the Record Office a later and separate volume, by Professor Andrews, will be devoted. The lists of papers in the British Museum, the Privy Council Office and the libraries of the universities include all manuscripts relating to the island colonies and to Canada, but this rule was not so completely carried out in the case of the other collections. A brief description or identification of every document or pamphlet is given, with the number which it bears—both of volume and folio—in the catalogue of the collection to which it belongs. An elaborate index, with special helps and classifications of its own, concludes the volume. With the aid of this Guide it therefore becomes possible for the inquirer to ascertain in a brief time where the sources which he is seeking are located and what he can afford to ignore. As a handbook for investi-

gators it will be of the greatest value. With it in his possession the student can proceed with certainty from the first that he will not miss any important source of information. Thus a large amount of useless searching will be avoided.

But there is another point of view from which this volume—and its successor as well—may be regarded. It is a chart of an hitherto imperfectly discovered country. For generations we have been hearing from time to time about the Rawlinson or Clarendon Papers in the Bodleian Library, or the Egerton, Sloane and Additional Manuscripts in the British Museum. Individuals from this country have paid them brief and desultory visits and have reported finds which have helped to clear up more or less minute points in American history. These finds have occasioned the publication of many volumes and have established, or helped to establish, not a few reputations. But it all has borne much the same relation to the exploration of the British materials for American history as did the voyages of the early explorers to the opening-up of the American continent. The explorers in both fields touched the shores of the continent or penetrated a little distance inland. Historical students will now have in their possession a chart which indicates in sufficient outline the entire territory which they have to explore, with its chief natural features and artificial divisions. It has now become possible to form a somewhat definite idea of these various collections, so far as they relate to American history. The character of the documents and the periods within which they fall are set forth in this volume.

The publication of this Guide, therefore, is one among many signs that we have entered upon a new epoch in the study of American history. It is the outgrowth of a demand for a more thorough and exhaustive investigation of the sources. It implies and will be followed by a more comprehensive and scientific treatment of the period as a whole than hitherto has been possible or even imagined. The era of partial views and isolated efforts, whether in the collection of materials or the writing of history, is passing away. The nation must and will come into possession of the sources here catalogued and its scholars will explore them and will write its history with an adequate knowledge of all its bearings and connections and a purpose to do justice to all parties concerned. And the most valuable among these sources will not always remain in manuscript form, but in due time will be printed in orderly sequence and under proper editorship. Then the work contemplated by the editors of the Guide will have been accomplished, for we shall then know after some proper fashion the history of our origins as a nation and of our connection with the land that gave us birth.

The compilers of the Guide have performed their task with great thoroughness and care. The general descriptions of the different collections and the identifications of the separate documents are models of clear and concise statement. In a goodly number of cases helpful references are made to collateral printed sources or to collections where the

identical documents are to be found in print. Among the documents in the Additional Manuscripts, in the British Museum, which relate to the Peace Commission of 1778 (pp. 149-153), references might well have been made to Stevens's *Facsimiles*, where not a few of these papers may be found. The fact that they are there reproduced is, however, noted under the head of the Auckland Manuscripts in the list of transcripts which have been made for the Library of Congress and which is appended to this volume.

Very few errors or misprints have been noted, and in view of the care with which the volume has been edited, it is not likely that its prolonged use will bring to light any considerable number of such. The statement however is made on p. 172 that the permanent Council or Board of Trade of 1696 owed its appointment to Parliament. It was of course commissioned by the king, as similar boards in previous times had been, however great the influence of Parliament upon the adoption of the policy may have been.

HERBERT L. OSGOOD.

Statistical and Chronological History of the United States Navy, 1775-1907. In two volumes. By ROBERT WILDEN NEESER, Fellow of Yale College. (New York: The Macmillan Company. 1909. Pp. 153; 487.)

IN these two volumes, Mr. Neeser has published about one-third of his monumental work on the American navy. As the remaining volumes will require much time and labor, he is at present unable to make any promises respecting the date of their completion. The entire work, which covers the period 1775-1907, he divides into five parts, as follows (I. vii., preface): (1) Administration of the Navy Department, and Events and Dates of Reference in United States Naval History; (2) Engagements, Expeditions, and Captures of Vessels of War; (3) Captures of Merchantmen; (4) a Complete Record of Every Vessel's Service and Fate; and (5) American Privateers, 1772-1862; the State Navies, 1775-1783; and the Confederate States Navy, 1861-1865. We understand that it is Mr. Neeser's intention to include a sixth part, which will contain lists of secretaries of the navy, assistant secretaries, chiefs of bureaus, commanders of squadrons, etc. It may be seen from this synopsis that every phase of the history of the navy of the United States is treated, and that special attention is paid to naval operations, naval administration, the history of vessels, the navy of the Southern Confederacy, the state navies and the privateers. There is, to be sure, a kindred subject, the colonial navies and privateers, but this obviously does not form a part of the history of the "United States navy".

From the point of view of the reader, Mr. Neeser's work contains a seventh part, a bibliography of the American navy, which is published as volume I., and which forms one of the author's most valuable contri-

butions to naval history. While no bibliography, owing to inevitable limitations, wholly exhausts its subject, that of Mr. Neeser, it must be said, approaches remarkably near to this desideratum. How thoroughly he has executed his work appears from the statement that his bibliography contains no less than 9,284 entries, three times as many as are found in an excellent publication of the same kind and covering the same field, which appeared in 1906. One of the notable features of volume I. is the listing of the naval sources in manuscript found in the Navy Department, Treasury Department, Department of State, Department of War, and Library of Congress, at Washington; in the British Admiralty Records, at London; and in the Archives Nationales, at Paris. Attention should also be called to a complete list of the official publications of the American government relating to the navy, which is now published for the first time. As the author, following a natural order of procedure, has not yet investigated privateering and state navies his record of the manuscript sources of these subjects is incomplete.

Volume II. contains the first three parts of the complete work as enumerated by Mr. Neeser in his preface. Part I., to which is devoted the first twenty-two pages of this volume, consists of a chronological table of naval events of a somewhat miscellaneous character. Each event is accompanied with reference to all the chief sources of information bearing upon it. In this connection, one may add that the inclusion of exhaustive references to every important item of information forms one of the most valuable features of the work.

With parts II. and III. the author begins the principal task which he has set for himself, namely, the composition of a statistical or tabular history of the navy. Since naval history consists largely of numerous items of information respecting ships, cruises and engagements, it lends itself remarkably well to presentation by means of tables. On the other hand, by no means all of the essential facts can be compressed within the rigid limits set by tabular forms. The skeleton of history may be thus presented, but not the flesh and blood, which demand a more vital and flexible method of treatment.

Mr. Neeser has accurately described his book in the preface as "a comprehensive reference work of our naval history". It is also an immense guide-book to the field of history of which it treats. The execution of so extensive and erudite a work requires the rare qualities possessed by Mr. Neeser, patient and painstaking scholarship and unlimited industry and enthusiasm. The fine craftsmanship of the publisher is also worthy of notice. Each volume is accompanied with an excellent index.

CHARLES OSCAR PAULLIN.

History of North Carolina. By SAMUEL A'COURT ASHE. In two volumes. Volume I., from 1584 to 1783. (Greensboro, N. C.: Charles L. Van Noppen. 1908. Pp. xxiv, 724.)

CAPTAIN SAMUEL A. ASHE, editor of the leading Democratic newspaper in North Carolina in the days of stalwart ascendancy in the party, has in recent years devoted himself to historical effort; and the first tangible result is the present volume. It is a clear piece of narrative, carefully constructed from the original sources, rather strong in its accounts of personal incidents, and weaker in discussions of social institutions. For example, the treatment of Sir Walter Raleigh's colony is full and generally satisfactory, and the same can be said of the narratives of such incidents as the Tuscarora War, the regulator troubles and the Stamp Act affair. But no student of history will be satisfied with the perfunctory description of taxation (p. 392), indented service and slavery (p. 394) and the scant mention of paper currency. In fact, Captain Ashe is not a philosophical historian. Even in his accounts of larger incidents there is very little attempt to explain their connection with the remainder of the narrative. So little are social and economic conditions esteemed that in this book of seven hundred and twenty-four pages only nineteen are given to them; and there is no connected study of political institutions. The order is monotonously chronological, but a liberal use of subheads tends to overcome the difficulty which would naturally follow. Generally speaking this is our best history of North Carolina in the period covered, and it is better than many other state histories, but it falls short of being a satisfactory work and leaves the task still to be performed by a student better trained in general history and with a better sense of historical forces.

The most praiseworthy feature of the book, and that by which it will perhaps be best remembered, is the fact that it is our first general history since 1819 to reject the claims of the Mecklenburg Declaration. The recent exhaustive works of Hoyt and Salley, together with the quiet efforts of a number of teachers and scholars residing in North Carolina, have made it impossible for a serious historian to accept the older view. Captain Ashe meets the situation frankly; he repudiates the twentieth of May resolves but clings a little more closely to those of the thirty-first, as though he would merely shift the basis of state pride. But his course is worthy of all commendation; for it takes some courage to criticize the Mecklenburg myth in North Carolina. A similar spirit of fairness is shown in dealing with the "Lost Colony" myth. He very properly finds that no reliable evidence exists to show what became of Raleigh's unhappy colonists and relegates to oblivion the fancy that they exist to-day in a group of mixed-blooded persons known as "the Croatans".

The excellent manner in which the book is printed and bound is creditable to the North Carolina publisher who has given it to the public.

It has seven maps and many other illustrations, among them a handsomely engraved portrait of the author.

JOHN SPENCER BASSETT.

A History of Missouri; from the Earliest Explorations and Settlements until the Admission of the State into the Union. By LOUIS HOUCK. In three volumes. (Chicago: R. R. Donnelley and Sons Company. 1908. Pp. xviii, 404; viii, 418; x, 380.)

THE appearance of a comprehensive history of Missouri during the provincial and territorial periods will be most welcome to all students of the history of the West. The only important general works in this neglected field, Billon's *Annals of St. Louis*, Scharf's *History of St. Louis*, and Sheppard's *Early History of St. Louis*, are local in character. Mr. Houck brings to his pioneer undertaking unlimited patience and enthusiasm, means to gather material from the very scattered sources, and an intimate personal knowledge of the hitherto neglected south-eastern section.

After an opening chapter on boundaries and natural conditions, the history begins with the mound-builders, the early Spanish and French explorations of the Mississippi Valley, the Kaskaskia settlement, and the exploration of the Missouri and the "Mineral District" on the Maramec. Apart from some possible criticism as to proportion, this portion is painstaking and adequate, although the identification of De Soto's line of march in Missouri will hardly be accepted without question.

For the Spanish period, Mr. Houck presents a wealth of new material. Extensive extracts are given in translation from the letters of instructions, reports, etc., of the lieutenant-governors, from the Spanish archives at Seville, and many points are made clear in the tortuous and vacillating policy of the Spaniards. A more detailed discussion of the English attack on Kaskaskia and St. Louis in 1780 and the curious expedition against St. Joseph in 1781 would have been welcome. A later chapter deals with the very elementary form of government under the Spanish. The special studies of the five local centres of settlement, St. Genevieve, St. Louis, New Madrid, St. Charles, and Cape Girardeau are by far the most valuable part of the whole work. The local records, which Mr. Houck himself has done so much to preserve, the extensive land records at Jefferson City, and the numerous collections of private papers in the Missouri Historical Society and in private hands, have all been used with patience and discrimination. The importance of the lead mines and the early settlement of the Southeast, the close connection with Kaskaskia and Vincennes, the full details of General Morgan's unsuccessful colony at New Madrid, the influence of the westward movement of the Americans are but a few of the important contributions, apart from the mass of more local information. With the valuable chapters on social and economic conditions these studies are the first real history of the Spanish period.

The treatment of the territorial period is somewhat briefer and naturally does not contain so much that is absolutely new; one feels that it has less attraction for the writer. Too much space, it would seem, has been given to biographical detail; the Boones Lick settlements certainly do not receive sufficient attention; it is rather surprising that more use has not been made of the files of the *Gazette* at St. Louis, especially for the local history of the Compromise struggle. Still it remains by far the best account as yet of the period. The discussion of social conditions is particularly valuable.

The book has certain faults incident to the lack of special training which the author so frankly confesses in his preface. Although the foot-notes and references are very numerous, the sources of information, especially in biographical details, are not always clear. A list of authorities would add to the value of the whole work and would, probably, have obviated the lack of uniformity in the citing of titles. It should be more clearly indicated that the numerous references to Hunt's Minutes are to the copy in the possession of the Missouri Historical Society, not to the original at Jefferson City. The indefinite references to the collections of this society, however, are unavoidable in the present condition of its invaluable material.

The history is clearly written and despite the mass of factual information is redeemed from dullness by the enthusiasm, and, especially in the later chapters, by the shrewd common-sense of the writer. But unless one is familiar with the unorganized condition of the materials and the lack of preliminary studies, he cannot appreciate the difficulties of the subject, nor how successfully, on the whole, Mr. Houck has surmounted them. He has done a real service to the student of to-day and laid a broad foundation for the future. Mention should be made of the numerous well-executed reproductions of maps and portraits. The index is voluminous and apparently adequate.

JONAS VILES.

The Repeal of the Missouri Compromise: its Origin and Authorship.

By P. ORMAN RAY, Ph.D., Professor of History and Political Science, Pennsylvania State College. (Cleveland, Ohio: The Arthur H. Clark Company. 1909. Pp. 315.)

"THE preceding pages have been written in vain", concludes the author of this doctoral dissertation, "if they do not justify the conclusion that the repeal of the Missouri Compromise in 1854 had its real origin in western conditions and particularly in the peculiar political conditions existing in the State of Missouri and that the real originator of the Repeal was David R. Atchison." But surely one may dissent from the latter conclusion without feeling that Dr. Ray has written in vain. The investigation of the Western antecedents of the Kansas-Nebraska Bill was decidedly worth while. If Dr. Ray

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has not attained a new point of view, at least he has presented a fresh and suggestive account of the Missouri factional struggle between 1852 and 1854, and he has established successfully the contention that there was a popular demand in the trans-Mississippi country for the organization of the Nebraska territory.

The claim that Atchison was the originator of the repeal may be termed a recrudescence of the conspiracy theory first asserted by Colonel John A. Parker of Virginia in 1880. No new manuscript material has been found to support the theory, but the available bits of evidence have been collated carefully in this volume. It is argued that Douglas was not particularly interested in Nebraska, that he did not introduce any bill for the territorial organization of Nebraska between 1848 and 1854, and that he had "no motive of political preservation" which could have led him to originate the repeal of the Missouri Compromise, until Atchison, hard pressed by the Benton faction, forced this course upon him with dire threats.

In view of the lively interest which Douglas at all times exhibited in the fate of the country between Missouri and our Pacific possessions, it is difficult to understand why he should be accounted indifferent to Nebraska. He did not, it is true, *introduce* any bill for the territorial organization of Nebraska between 1848 and 1854, but he gave his hearty support to the Hall Bill of 1853, which in all essential points was like his own bill of 1848. Dr. Ray has quite overlooked, too, the interesting debate upon the bill which Douglas introduced in 1852 for military colonies along the emigrant route to California. That the real purpose of this measure was to colonize Nebraska and prepare the way for its territorial organization, does not admit of doubt.

Even if absence of motive on the part of Douglas could be proved, positive evidence would be needed to support the claims of Atchison. Lacking other support, Dr. Ray falls back upon Atchison's own statement, preferring to believe Atchison drunk rather than Douglas sober. It was not until September, 1854, that Atchison under the influence of liquor boasted: "Douglas don't deserve the credit of this Nebraska bill. I told Douglas to introduce it. I originated it." But in a public letter written in June, Atchison made no such claims; and two years later he made the frank and apparently sober avowal, "I do not say that I did it [*i. e.*, secured the repeal], but I was a prominent agent." So far from proving that Atchison originated the repeal in order to triumph over Benton, the evidence would seem to show that the people of western Missouri were clamoring for the repeal before Atchison announced his conversion to the policy, and that he utilized rather than originated the movement for his personal political profit.

ALLEN JOHNSON.

Studies in the American Race Problem. By ALFRED HOLT STONE.

With an Introduction and three Papers by WALTER F. WILLCOX.

(New York: Doubleday, Page and Company. 1908. Pp. xxii, 555.)

MR. STONE'S *Studies* consist of nine papers written for various occasions and dealing with general phases of the question, the negro in the Yazoo-Mississippi delta, the results of a plantation experiment to secure a permanent tenantry, the economic future of the negro, white competition, race friction, Mr. Roosevelt and the South, the negro in politics, and the mulatto as a problem. Three papers by Professor Walter F. Willcox are added, and they deal with negro criminality, negro census statistics, and the probable increase of negro population. Mr. Stone's chapters, as he tells us, are the by-products of a larger work on the general conditions of the negro in America at which he has been engaged for some years and which, we are left to infer, will be published in the near future. They are, therefore, rather loosely connected and in places they tend to overlap. Professor Willcox's papers are more naturally related to one another, and deal with more concise phases of the subject. Both gentlemen have made interesting contributions to the literature on the negro. The former is a Southerner and the latter a Northerner, but they seem to be agreed in their chief conclusions.

Mr. Stone is mildly pessimistic. His view is Southern, but it is not stated with usual Southern emphasis. "Here", he says, "is the key to my philosophy of race relations: it is the influence of local environment and local considerations in determining local attitude. This is my explanation of the differences of opinion among people of intellectual integrity, upon our so-called race problem. After a decade and a half of study, I have no hesitation in laying down the fundamental proposition that the attitude of the so-called Anglo-Saxon people toward the negro the world over is essentially the same under similar conditions. I am willing to go one step farther and express the conviction that this truth is so well grounded in fact and reason and experience that eventually it will be sufficiently recognized to afford a basis for mutual toleration and respect among all white people, as regards their social and political relations with the negro, and the other inferior or backward races with which they are brought into contact" (pp. 6-7).

This is, probably, the most considerate and reasonable statement of the negro question ever made by a Southerner who holds the views usually held by his people. We can argue on this basis, although we may not agree with it; and the race question has reached a stage of advanced development when it may be debated without appeals to emotions.

This does not mean that the reviewer approves of all of Mr. Stone's arguments. For example, it does not seem quite a fair argument to

say that the negro problem is identical with the general question of the treatment of inferiors in India and the Philippines. "If we had attempted to apply", says the author, "to the racial problems which have confronted us in the Philippines the same policy which we apply to our race problem at home, we should have made ourselves a laughing-stock in the eyes of the world" (p. 250). From the context it is evident that by our home policy our reconstruction programme is intended. Two obvious comments can be made: (1) If we should apply to the Philippines the policy of exclusion and repression which the South applies to the negro we should have insurrection and confusion in a short while; and (2) if we should apply to the Southern negro that policy of self-development in citizenship, giving local and higher offices to the inferior race as rapidly as it shows itself capable of filling them, we should soon have a state of affairs which would reduce to insignificance the protest of Mississippians in the Indianola post-office incident. Mr. Stone is right in referring to the Philippine situation as the typical Anglo-Saxon attitude toward the negro, but he is not right in assuming that the Southern attitude is the same as that of the government in our trans-Pacific possessions. In the South the inferior shall have no office whatever; in the Philippines he shall have all he can safely be entrusted with.

The most interesting point in Professor Willcox's papers is the conclusion from census tables that the negro is not increasing in numbers as rapidly as many people have thought, that his proportion of increase is declining, and that he is destined to be a smaller social factor than at present. These points are made with excellent clearness and authority. They show that conditions remaining as they now are the negro is in a losing position. Perhaps Professor Willcox would have done well to add that it is not necessary to assume that all the conditions will remain unchanged. It is certain that the negro's loss in vital statistics is partly due to his ignorance in regard to his health, partly to his carelessness, and partly to a physical constitution not yet adapted to our latitude. But if through artificial stimulus the first two difficulties should be reduced and if the third should be improved by nature, the declining ratio of increase might well be checked.

JOHN SPENCER BASSETT.

Railroad Reorganization. By STUART DAGGETT, Ph.D., Instructor in Economics in Harvard University. [Harvard Economic Series, Volume IV.] (Boston and New York: Houghton, Mifflin and Company. 1908. Pp. x, 402.)

NOTHING is more significant as indicating the trend of economic science than the wide range of topics which a professional political economist is now at liberty to consider. Twenty-five years ago the economist would have been obliged to introduce a study of railroad

reorganization, or indeed a study of any phase of corporate activities, with an apology for his temerity, and it is not at all sure that he could have urged such an apology with entire success. The author of the treatise under review, however, who is an economist of the younger generation, finds no necessity in the general attitude with regard to economics for attempting such an apology.

As stated by the author, this book discusses "in some detail the financial history of the seven most important railroads which failed from 1892-6, and that of one railroad, the Rock Island, which was reorganized in 1902. . . . In some respects the history of each road considered is peculiar unto itself. The Reading had coal to sell, the Atchison did not. The Southern ran through a sparsely settled country, the Baltimore and Ohio through a thickly settled one. The Erie has never recovered from the campaigns of Gould, Drew, and Fisk, from 1864-72. The Northern Pacific was not opened until 1883. . . . Excepting only the Rock Island, each of the roads whose reorganization is studied in this book has found itself at one time or another unable to pay its debts and has had to seek measures of relief."

The above quotation indicates better than any comment the design and structure of this book. It consists of special studies of cases in railroad reorganization selected because each is regarded as typical of some peculiar or noteworthy condition and the study closes with a chapter of conclusions or generalizations which the study of the special cases suggests. It is evident that a short review must content itself with a note upon these generalizations, which rest upon a detailed study of eighteen reorganizations and forty-two plans of reorganization, of which fifteen reorganizations and thirty-nine plans of reorganization "have had to do with the extraction of companies from financial embarrassment".

One of the most interesting of the generalizations submitted by the author pertains to the interests involved. These are the creditors, the stockholders and the syndicate, that is to say, the bankers who underwrite the new securities. This latter interest, while possibly temporary, is of great importance so long as it lasts, for its function is to support the impaired credit of the bankrupt railroad until such credit is restored as a result of the reorganization. Of the three interests named the dominant one is that of the creditor, while the influence of the stockholder is for the most part limited to such an adjustment of securities as will restore his stock to a stable value at the earliest possible date. The author's discussion of the manner in which these three interests have found expression in the various cases of railroad reorganization selected for study, and of the manner in which the money was secured to effect a reorganization, is most interesting.

In a short review, however, we cannot dwell in detail upon the analysis which this closing chapter contains. The author himself con-

denses his impressions into eleven concise paragraphs which give "the results of the discussion". In one particular only does he appear to me to have exposed himself to the criticism of incomplete analysis, and that is his discussion of the effect of the value of the new securities issued as a result of the reorganization as compared with the value of the securities which they replaced. On the whole, however, the work appears to me to be excellent. It is one of the few books which have appeared on railways during the past ten years that is worth the serious study of a serious student.

HENRY C. ADAMS.

A History of Canada, 1763-1812. By Sir C. P. LUCAS, K.C.M.G., C.B. (Oxford: The Clarendon Press. 1909. Pp. 360.)

IN this volume Sir Charles Lucas deals with selected phases of North American history, from the inauguration of British government in Canada, after the Treaty of Paris of 1763, to the close of Sir James Craig's administration in June, 1811.

The title of the book is scarcely an accurate indication of its contents, as more than half of the volume deals with the American Revolution. That the American Revolution had an important bearing on Canadian history no one will dispute. But that the details of campaigns in that historic struggle should bulk so largely in the history of Canada, while a great many very vital domestic matters are scarcely touched upon, indicates the characteristically European point of view from which the whole period is approached.

The first chapter deals with the Proclamation of 1763 and Pontiac's War, two-thirds of the chapter being occupied with the details of that abortive Indian rising. The next chapter is devoted to the causes of the American War of Independence and the Quebec Act. The first half of the chapter is devoted to a discussion of colonial and imperial relations, in which the matters in dispute between the American colonies and the mother country are treated in the light of modern British imperialism and not without didactic intent. The latter part of the chapter deals with the conditions determining the policy of the Quebec Act, and whether we agree or not with the historic and other judgments of the author in this delicate field, he is at least on essentially Canadian ground.

The third chapter, which is much the most extensive in the book—pages 90 to 207—is concerned chiefly with the War of American Independence, and, except for the account of Carleton's heroic defense of Canada under very adverse and discouraging conditions, the greater part of the chapter is occupied with details of American campaigns. It is obvious that the author is mainly interested in the imperial problems connected with the relations of the colonies to the mother country, hence the episodes of American colonial history are quite as instructive

as those which pertain to Canada alone. Moreover, the hero of the volume is Sir Guy Carleton, afterwards Lord Dorchester, and whatever has a bearing on his career and that of his friends and enemies is of interest to the author.

Sir Guy Carleton was undoubtedly a great soldier, probably the ablest of the British officers in America during the Revolutionary War. He was also a thoroughly honorable and conscientious administrator, setting his face resolutely against prevailing forms of executive corruption in an age when such forms of corruption were all but universal. But his ideas of justice and administrative efficiency were purely military and autocratic. Our author will have it, however, that Carleton was not only a great soldier and administrator but a statesman as well, though the reversal of most of his plans for the government of Canada took place before his administration closed, and the remainder resulted in a paralyzing friction between succeeding governors and the popular element in both provinces.

Chapter IV. deals with the Treaty of 1783 and the United Empire Loyalists. The Loyalists are very favorably regarded, notwithstanding that they demanded the repeal of the most characteristic features of the Quebec Act and the reversal of much of Carleton's policy. The next chapter is occupied with the establishment of representative government under the Constitutional Act of 1791 and the initial working of the new system during the closing decade of the eighteenth century. Incidentally it records the sorrows of Lord Dorchester, who found that his autocratic military methods were disliked not only by his subjects, as formerly, but by the home government and by other military autocrats, such as Lieutenant-Governor Simcoe. In this chapter Sir Charles Lucas quotes with approval and treats at some length the very interesting scheme of Chief Justice Smith for a general representative government for all the British North American provinces. Had it been adopted this confederation might have passed by more easy stages than did the individual provinces into the familiar modern form of responsible self-government.

The last chapter deals with the administration of Sir James Craig whose unhappiness came from following the policy of his predecessors and reaping where they had sown. Here our author gives striking evidence of his inveterate optimism as to British imperial policy, wherein ultimately whatever is right, even though those who bring it to pass are invariably wrong, while those who strive in vain to prevent it are chiefly statesmen and patriots. Thus we are taught that among the most unquestionable blessings which have been vouchsafed to an unreflecting empire have been the American Revolution, with the loss of the old American colonies, and the War of 1812. Yet, strange to say, there is naught but condemnation for those who precipitated these blessings, and praise for those who resisted them.

From a literary point of view the volume is quite successful, the author is careful as to his facts and the narrative of events is simple, direct and interesting.

There are a couple of appendices; the first of which contains the text of the Treaty of 1783, and the second, which is a natural sequel, contains a summary of the proceedings connected with the settlement of the boundary between Canada and the United States. The volume is enriched by a number of excellent maps.

Saint-Domingue: La Société et la Vie Créoles sous l'Ancien Régime (1629-1789). Par PIERRE DE VAISSIÈRE. (Paris: Perrin et Cie. 1909. Pp. viii, 384.)

M. DE VAISSIÈRE has made a very definite and important contribution to the colonial history of France. A long and diligent study of the rich and abundant colonial archives at Paris has enabled him to depict the social life of French Santo Domingo under the Ancien Régime with originality and authority. In his second chapter, *La Noblesse Française à Saint-Domingue*, we find all that remains of his original purpose, announced by him some five or six years ago, to write the history of the rôle played by the nobility of France in the work of colonization. He maintains in this chapter the thesis that the *gentilshommes*, emigrating to Santo Domingo first as officers in the service of the king, find themselves drawn by instinct from the towns to the plantations to regain their threatened independence and to live again the life of the *gentilshommes campagnards* of their ancestors in France, described by M. de Vaissière in his well-known work, *Gentilshommes Campagnards de l'Ancienne France*; that they became a new element which little by little exerted a large influence upon the heterogeneous society of Santo Domingo. Students of colonial history will rejoice at the decision of the author to broaden the scope of his study in devoting the larger portion of his book to the treatment of the picturesque society in general of the "pearl of the Antilles". His study has forced him to conclude that the idea of luxury and charm of the colonial life, at least for Santo Domingo, has been much exaggerated and is in fact almost legendary. Instead of being luxurious he finds the homes of the planters lacking not only in good taste, but often times in comfort even. He gives us many interesting details of the construction and furnishing of these homes. As to the life led by the colonists, he depicts it, by means of some well-chosen and extraordinarily interesting passages from a wide variety of documents, as crude, monotonous, voluptuous, lawless and at times almost barbarous. Upon this fact he lays much stress as an explanation of the marked tendency of the colonists to regard their residence in the island as only a means of acquiring a fortune and of their eagerness to return to France to enjoy the fruits thereof.

The author shows a very admirable caution in drawing general con-

clusions. This to be sure is a natural result of the research that he has made in some four hundred volumes of documents where he has found much conflicting testimony. He has followed the method in general of exposing such conflicting evidence and leaving the reader to draw his own conclusions. This method would have been more satisfactory if M. de Vaissière had made use of his foot-notes to give information in regard to the persons from whom his quotations are derived. His failure to do this impresses one, I think, as a fault that characterizes the book as a whole. Apparently he has taken what he found without making sufficient effort to weigh it critically. Such a critical weighing of material is supremely important, it seems to me, in writing the history of any colonial community. Any such community of the seventeenth and eighteenth centuries must have furnished much that was bizarre, lawless and almost barbarous to the majority of European travellers and governors sent out from Europe which naturally occupies a large space in the accounts of their travels and in their correspondence. How much does such material really portray the life of such a society? Must one not try to find by all the means in his power, in the case of any author one uses, his characteristics, his prejudices and his ability to observe and faithfully portray.

It is to be regretted that M. de Vaissière did not expand his study into one of much greater length. He could thus have saved himself the very difficult task of making, so to speak, a composite picture of a society for some four or five generations and could have traced the progressive development of successive generations. His work would have then had more value for students of special periods.

STEWART L. MIMS.

MINOR NOTICES

Dictionary of the Bible. Edited by James Hastings, D.D. (New York, Charles Scribner's Sons, 1909, pp. xvi, 992.) This one-volume dictionary, not a condensation of Hastings's five-volume work but an independent production, is a valuable and convenient aid to students, prepared by men of solid scholarship. The competency of the authors to furnish thoroughgoing knowledge is evident from the mere list of their names, and many articles (like Kenyon's on English Versions, Greek Versions of O. T., Text of N. T., Vulgate, Adeney's on Canon and Criticism, Barton's Israel, Shailer Mathews's Apocryphal Gospels, Apocalyptic Literature, Eschatology, or Paterson's noteworthy article on Jesus Christ) are on the very highest plane of scientific possession of the material and lucidity of exposition.

Such articles as those on Adam, Creation, Fall, Miracles, Abraham, Tower of Babel, show a frank conformity to modern knowledge, and yet a certain conservatism characterizes the work as a whole. It is indeed commendable that such a work should avoid fresh adventurous views

not yet digested by discussion and should give to the general student what is judged to be the established result of criticism. In some instances the judgment is debatable, as in the case of Maclean's (Gospels) apologetic reconciliation of the Fourth Gospel with the Synoptics, for which some corrective is found in Davidson's John's Gospel. A few dogmatic articles (*e. g.*, Trinity) have a more marked traditionalism. But a striking feature of such more conservative expositions is that they are apologetic and even deprecatory, lacking the bold-heartedness which bespeaks the unassailable judgment. The final impression, therefore, is that, on the points at issue between traditionalism and modernism, the work is of a transitional character.

FRANCIS A. CHRISTIE.

Claudian as an Historical Authority. By J. H. E. Crees, M.A., D.Lit. [Cambridge Historical Essays, number XVII.] (Cambridge, University Press, 1908, pp. xvi, 259.) This painstaking study, a Thirlwall Prize essay of 1906, has been accepted by the University of London as a "D.Lit." thesis; an additional chapter follows Stilicho's career to its close. The author had written his book before he learned of Güldenpenning's work, in which his conclusions are largely anticipated; and he ignores Vollmer's excellent article in the Pauly-Wissowa, which would have led him to modify several statements. It is well, however, to have in English this careful discussion of Rome's last great poet and his times. "In him", as Mr. Crees well says, "shines forth again in the radiance of a stormy sunset Latium and all Rome's spirit." But it is not fair to speak of his "remarkable servility"; and Crees is surely wrong in calling the times of Ammianus and Symmachus, Jerome and Augustine, a "savage and inhuman" or a "mean and sterile" age. Dill has done this period admirable justice. Crees minimizes Synesius's importance, and exalts Eunapius; his account of our sources is based on wide reading. The book is rather an historical study of Stilicho, as eulogized by Claudian; but all the important poems are summarized or quoted from, and the poet's life is traced in full. After using Claudian to support the old date, 403, for Pollentia, Crees is ungrateful in dismissing the poet as "a witness whose testimony we can chiefly trust when he is off his guard". The book is well printed; there are several errors in a brief Italian quotation on page 100, but, in general, misprints are rare, the most important being "Claudian" for "Prudentius", p. 170. The author's style is up-to-date: we find on one page "a dissolving view of the battle", "the peripeteia", and "driven back to their laagers"; while to call the historians of that period "conspicuously mendacious and unscrupulous" perhaps shows American influence.

CHARLES UPSON CLARK.

Die Wanderzüge der Langobarden: Ein Beitrag zur Geschichte und Geographie der Völkerwanderungszeit. By Carl Blasel. (Breslau,

Müller und Seiffert, 1909, pp. xix, 133.) This work is a genuine contribution to one interesting department of German historical research, the attempt to establish the history of the Germanic tribes in the period before the actual invasion of the Roman Empire.

The first chapter is devoted to a review of the literature. The substance of the work is contained in chapters II., III. and IV., which deal with the three main topics: the original home of the Lombards, the date of the beginning of their wanderings, and the separate stations in their journey to their arrival on the upper Danube in 488. Chapter v. is a history of the "Amazon-fable", brought into the story of the Lombards by Paul the Deacon. The three pages of chapter vi. suffice for the history from 488 to the invasion of Italy in 568. An interesting discussion of some points in regard to the sources and an appendix on the meaning of the name "Langobard" complete the work.

The author's evaluation of the sources will be readily accepted. The statements of the Roman historians and geographers are the only secure sources for the early location and history of the Lombards; the *Origo Gentis Langobardorum* is taken from genuine tradition existing among the Lombards in the seventh century; the *Historia* of Paul the Deacon, used by all the later medieval chroniclers, is made up in its early part from the *Origo*, popular tales, and a superficial and inaccurate acquaintance with classical writers, the elements being put together without care or discrimination. Paul is thus responsible for the mistakes and the confusion that have prevailed in the history of the Lombards to the present day.

The troublesome problem of the Scandinavian origin of the Lombards, alleged by Paul, is disposed of by the author finally, it seems. He shows that the mistake was Paul's and shows also how he came to make it. The earliest known home-land of the Lombards was the land on the lower Elbe, known later as the Bardengau; they were never in Scandinavia. In tracing the route of the Lombards by the places named in the *Origo* and in the *Historia* of Paul, the author arrives, wisely it appears, at negative results in the attempt to identify many of the names. He establishes, however, the general outline of the journey.

The author's use of the sources is sober and sound. So many and so widely varying views have been held by writers in regard to every point in Lombard history that he has been compelled to expend a large part of his efforts in controversy, but his conclusions are in the main convincing.

EDGAR H. MCNEAL.

Basile Ier, Empereur de Byzance (867-866), et la Civilisation Byzantine à la Fin du IX^e Siècle. Par Albert Vogt, Docteur ès-Lettres. (Paris, Alphonse Picard et Fils, 1908, pp. xxxii, 447.) Our indebtedness to the Byzantine Empire is now a commonplace in historical teaching, but any statement of it is too commonly a mass of glittering generalities.

This is due to the comparatively small number of detailed studies; as yet few periods in Byzantine history have been adequately described. The present work is the first history of the reign of Basil.

It is divided into four books. The first is introductory, treating of the empire from 842 to 867, Basil's origin, accession and character, and the composition of the court. Book II. discusses the government, including finances, legislation, judicial organization, internal administration, ecclesiastical policy, and many other details. Book III. summarizes the wars and the military administration. Book IV. sketches certain features of the Byzantine civilization, especially landholding, commerce and art. A large amount of space is taken up with careful descriptions of the various Byzantine officials and their duties; not much of this is new, but it forms a convenient work of reference. There is also a rather brief "critical study of the sources" and an appendix concerning the imperial chancery.

The author has found no new sources of information. The chief ones are comparatively well known and unsatisfactory. There is little strictly contemporary material. The interpretation of Basil's character and work must be based, to a great degree, upon the conflicting statements of partizans of a later generation. In this respect the author has done his work well, although he probably has ascribed too much to Basil's initiative. The bibliography of works consulted does not include Finlay, Hopf, Krause, Bury's notes to Gibbon, Oman's *Art of War*, Bonwetsch's *Kyrillus und Methodius*, and other pertinent titles.

The work as a whole is a valuable addition to the monographic literature on Byzantine history. The treatment of ecclesiastical matters is especially interesting. It includes careful analyses of Basil's policy, of the relations of Ignatius and Photius with the popes at Rome, of the extent to which the Greek church was willing to acknowledge the supremacy of the Roman, and of the authority of the emperor over the Byzantine church. Interesting, too, is the author's skilful use of Basil's "Exhortation" to illustrate his character. Basil, the boon companion and murderer of Michael, addressed to his successor, whom he recognized as his own son and detested, but who was probably the son of Michael and Basil's wife, a series of moral and philanthropic precepts which might well have issued from the mouth of St. Louis. But did these sayings depict the real character of Basil?

DANA C. MUNRO.

Deutsche Kaisergeschichte in der Zeit der Salier und Staufer. Von Karl Hampe, o. Professor in Heidelberg. [Bibliothek der Geschichtswissenschaft, herausgegeben von Professor Dr. Erich Brandenburg.] (Leipzig, Quelle und Meyer, 1909, pp. viii, 269.) Professor Hampe has devoted himself in this volume to the political side of the history of the empire, leaving all its constitutional and economic features for other

volumes which are to appear in the same series. He has made an excellent volume, which deserves great praise.

First of all, it is charmingly written in a clear flowing style, that is characterized by simplicity and clarity. Of course, since he writes German, his sentences are long, but they are seldom cumbersome. His meaning is generally at once apparent, and his language has a fine carrying power, which takes the reader along at a rapid rate.

In his choice of materials for his account he is very happy. He tells nothing merely for the sake of telling it, but connects everything that he narrates with the great stream of his narrative in such a way as to show its importance, its meaning and its general bearing. Not an event is narrated or mentioned that does not illumine the narrative. He has wisely omitted much that has for a long time been regarded as an essential part of every narrative history of the period. In this respect his book is a great improvement on every history that has gone before, because it contains only material that is really significant.

Professor Hampe is not content merely to narrate, but tries to explain, the causes which were operating at that time, and to record their effects. His book is a good example of the genetic way of treating history. He shows that the men about whom he writes were reasonable creatures, and acted from reasonable motives, and were governed by ideas and ideals. He shows the reasonableness of history in a convincing way.

One of the most interesting and valuable features of the book—and one of the most successful too—is the fine description and appreciation of all the important personages of the period. No one of importance is omitted, and the estimate of each is sane and just. Indeed he has humanized in a fine way the chief men of the period. His intimate knowledge of the Hohenstaufen period is clearly shown by this book. His pages which deal with Frederick II. are extremely fine.

One might criticize details or point out passages with which one does not agree, but in the main the book is exceedingly sane and well balanced. It is interesting to note that he does not agree with Professor Schaefer's views of the Concordat of Worms.

O. J. THATCHER.

Germany in the Later Middle Ages, 1200-1500. By William Stubbs, D.D., Formerly Bishop of Oxford, and Regius Professor of Modern History in the University of Oxford. Edited by Arthur Hassall, M.A. (London and New York, Longmans, Green and Company, 1908, pp. xi, 255.) There is so great a dearth of books in English that deal with the history of Germany in the later Middle Ages that one is prepared to welcome anything that promises to throw light on that confused, and, in many respects, uninteresting period. As in his book on Germany in the early Middle Ages, the author has chosen to recount especially the doings of the rulers, in spite of the fact that many of them did very

little that was worth so dignified a narrative as he honors them with. His estimates of them as men and rulers are good, with one or two exceptions. His treatment of Henry VII., however, furnishes an example of the manner in which he was imposed on by the imperial ideal; for after admitting that Rudolf of Hapsburg and his successors could not hope to do anything in Italy and that they did wisely in surrendering all claim to authority there, he rhapsodizes over the foolish attempt of Henry VII. to revive the imperial ideal, and his ill-advised and ill-starred expedition into Italy.

It is amusing to see how the bishop's nationality makes itself felt in his treatment of Richard of Cornwall, for he labors at some length to prove that Richard was really emperor and everywhere recognized—as if that shed some glory on a reign that in every other respect was inglorious.

The narrative is easy and, on the whole, the material used is good. Exception, however, should be taken to his too favorable treatment and estimate of the weak and despicable Ludwig of Bavaria. Fortunately, the author does not confine himself to the kings of the period—several of whom were but sorry figures—but has an eye also for the important movements of the time, which were for the most part entirely independent of the royal will and influence. The establishment and growth of important families, such as the Hapsburgs, Luxemburgs, and Hohenzollern, the growth of cities, their municipal independence and their leagues, the rise of Switzerland and her sturdy struggle for independence, the almost royal position of many of the princes, and the expansion of Germany to the east, all find an appreciative, if brief, treatment in these pages. The book makes no real contribution to the history of the period, but is a welcome account of it.

O. J. THATCHER.

Un Cadet de Gascogne au XVI^e Siècle: Blaise de Monluc. Par Paul Courteault, Chargé de Cours à la Faculté des Lettres de Bordeaux, Lauréat de l'Académie Française. (Paris, Alphonse Picard et Fils, 1909, pp. ii, 308.) French historical scholarship is perhaps even more famous for perfection of form than for accuracy and solidity of matter. Of late years it has become the fashion for writers who have made some period or topic peculiarly their own by the publication of a number of scientific monographs on the different details and phases of it to summarize and present, within the compass of a single modest volume, the quintessence of their many years of profound study on the field as a whole. The preliminary monographs are invariably decked out in all the paraphernalia of foot-note, critical bibliography, and *pièce justificative*, but the final volume has none of these: the author rests on his previously acquired reputation here, and devotes all his efforts to making the presentation of the *tout ensemble* simple, unpretentious and artistic. Such a volume is the present work of M. Courteault; the "enquête

préalable absolument indispensable" is his brilliant monograph on Monluc's *Commentaires* (*Blaise de Monluc, Historien*, reviewed in the first number of the current volume of this journal, pp. 119-120).

The great merit of the present critical biography lies in its ingenious and convincing revision of the older verdicts on Monluc, which have been based almost exclusively on the picture drawn by himself in the *Commentaires*, and the substitution for them of another portrait, more complex perhaps, but certainly far more true. Monluc would have us believe that he was the ideal soldier, cool, brave, determined, indefatigable, past-master of the art of war and of that of managing men. In reality he was primarily "on the make", greedy of fame and fortune, able no doubt, but harsh, grasping and puffed up with a sense of his own importance. He makes himself out a fanatic Catholic; as a matter of fact he came very near turning Huguenot, and would certainly have done so had he thought that such a course would have been to his own advantage. On the other hand he was by no means as savage and cruel as he pretended: a host of his contemporaries merited the title of "boucher royaliste" as well as he. It is pleasant to discover that in one respect at least the Monluc of history was more attractive than the Monluc of tradition, and M. Courteault is to be congratulated that accuracy has not invariably necessitated disparagement.

ROGER BIGELOW MERRIMAN.

Un Envoyé Hollandais à la Cour de Henri IV.: Lettres Inédites de François d'Aerssen à Jacques Valcke Trésorier de Zélande (1599-1603). Par J. Nouaillac, Ancien Élève de l'École Normale Supérieure, Docteur ès-Lettres. (Paris, Honoré Champion, 1908, pp. 215.) This is a collection of 121 letters running from December 19, 1599, to January 22, 1603, preserved in the archives of the Hague. The writer of them, born in 1572, was son of the recorder to the States General. In 1597 when the Dutch sent a special embassy to Paris, consisting of Oldenbarnevelt and the admiral of Zeeland, Justin of Nassau, to dissuade Henry IV. from making peace with Spain, Aerssen accompanied them as secretary. The mission was a failure. Henry signed the peace of Vervins. The Dutch ambassadors departed for England to enlist the alliance of Queen Elizabeth, but their secretary remained in France as agent of the republic.

These letters are not a portion of his official correspondence, but are the familiar letters of a friend to a friend. For that reason, in a sense, they are more valuable than official papers, for the writer is sometimes indiscreetly candid in the information he imparts. Aerssen was in a fortunate position to acquaint himself with events, and almost every important phase of the reign of Henry IV. has light thrown upon it in these letters. It is well known, for instance, that the financial history of this reign is imperfectly understood, and the minute information afforded in these letters is grateful indeed. Of equal importance is the new light thrown upon the relations of Henry IV. with the Duke of

Savoy, and indirectly with Spain, and the large information they contain with reference to the conspiracy of Marshal Biron and the policy and conduct of the Huguenots, for Aerssen was a vigilant Calvinist.

There are also in these letters much interesting information touching the commercial relations of France and the United Provinces, notably over the grave question of the port of Calais in 1599, which Holland wanted to have closed to the commerce of Spain. Henry IV.'s policy of internal improvements, especially the draining of marsh lands and the construction of canals is also described. These data are peculiarly valuable because documents upon the economic history of the reign are not numerous.

Aerssen represented his government for ten years in France, though the present series of letters covers but four years of that term. The editor, however, has briefly sketched his life and public service in the latter portion of the introduction, and concludes with some information as to where Aerssen's other unpublished letters, evidently valuable, are preserved.

JAMES WESTFALL THOMPSON.

Trois Familiars du Grand Condé: l'Abbé Bourdelot, le Père Talon, le Père Tixier. Par Jean Lemoine et André Lichtenberger. (Paris, Honoré Champion, 1909, pp. viii, 338.) The interest of these exquisite sketches is literary, biographical and social rather than purely historical. They are based upon unedited memoirs and letters preserved in the Bibliothèque Nationale and the archives of Chantilly. Characteristic documents are printed in the appendix.

The Duc d'Aumale had already drawn in permanent historical form the lofty figure of the victor of Rocroi in its military and political aspects; the present volume illustrates the truth of his assertion that the man is no less interesting than the general. The authors find its best *raison d'être* in the greater definiteness which it imparts to certain characteristics of the Great Condé—his ever alert and omnivorous curiosity, his literary taste, the remarkable development of his scientific spirit, his keen sense of the ridiculous.

For nearly half a century the Abbé Bourdelot acted as chief physician to various members of the House of Condé and as purveyor of amusement and scientific news to its illustrious head—a veritable "*Intendant Littéraire de Chantilly*". His name is perhaps best known through the Academy which he founded for the discussion of current questions in science and philosophy. With all his charlatanism he was a scrupulous physician, loved science passionately and contributed his little share toward its progress, although the discussions of the Academy tempt one to ask—somewhat unjustly—if his science and that of his disciples was not upon a par with that of Molière's physicians. Altogether this sketch of the Abbé Bourdelot is a masterpiece of literary workmanship. The description of his amazing career at the bizarre court of Christina of Sweden is not its least attractive feature.

Père Talon's biography is of value as showing the growth of Jesuit influence over the prince. It illustrates the moral and religious evolution of his latest years.

The sketch of Père Tixier is historically the most important in the book. The prince employed him in the conduct of the most delicate family affairs. His *Mémoires* confirm and amplify the account of Mlle. de Montpensier and Bussy-Rabutin concerning the events which led Condé to imprison his wife, show that he had great reason to be dissatisfied with her conduct, and contain evidence tending to prove the unsoundness of her mind.

Tixier's letters to Condé concerning the enforcement of the Revocation of the Edict of Nantes in Normandy are of great value. Already used by d'Aumale and declared by him to furnish a crushing commentary on the Revocation, they are soon to be published by M. Rébelliau under the title of *La Révocation de l'Édit de Nantes vue de Chantilly*.

O. H. RICHARDSON.

A History of the George worn on the Scaffold by Charles I. By Sir Ralph Payne-Gallwey, Bt. (London, Edward Arnold, 1908, pp. 102.) To the professional historian or even the casual reader of history few things at first sight would seem less worth doing or reading than the investigation of the history of the "George" worn by Charles I. on the scaffold. Yet few who pick up the attractive little book which embodies this excursion into history and antiquarianism are likely to lay it down unread. The book itself, beautifully printed and profusely illustrated, is a pleasure to see. And the essay it contains is at once a very pretty piece of historical method and, to one interested in such things, an interesting story. After a brief introductory sketch of the Order of the Garter, the real narrative begins with a minute account of Charles I.'s execution. The "lesser George" or gold medallion of the order he wore at that time was handed by him to Bishop Juxon just before laying his head on the block. This "George", it was long supposed, passed to James II. and was preserved by the exiled Stuarts. In 1787 Sir Ralph Payne, an ancestor of the author, was asked by the prince regent to secure the jewel, which they had, and probably succeeded. But for certain ingenious and, in the main, convincing reasons Sir Ralph Payne-Gallwey concludes that this was not the "George" which Charles wore, but that the latter passed to one of the king's guards, Colonel Thomlinson, thence to the Parliamentary commissioners, was bought from them by one Widmor, probably acting for Thomlinson, was returned to Charles II. by Thomlinson's sister, and is now in Windsor Castle. Such details as are brought out throw much interesting side-light on more important transactions, apart from their own somewhat romantic interest. One may perhaps note that though Colonel Dixwell, the regicide, married in or near "Newhaven", his descendants are to be found not there (p. 37) but about Boston.

AM. HIST. REV., VOL. XIV.—55.

La France Monarchique. Avec Introduction et Notes par George H. Powell et Oswald B. Powell, B.A. (London, Blackie and Son, 1906, pp. xi, 491.) The character of this volume, scarcely suggested in its title, is more clearly indicated in its subtitle, *Scènes de la Vie Nationale depuis le Douzième jusqu'au Dix-huitième Siècle tirées de Mémoires Contemporaines.* Forty writers are represented in extracts, varying from four to thirty pages. All, save three or four, are from well-known *mémoires*. Each extract is accompanied by a short introduction, chiefly of biographical data, and there is a long general introduction in which the basis of the choice and the purpose of the collection are explained. There are also numerous foot-notes, almost exclusively biographical, a chronological table, a list of the editions used, and an index.

The book seems to be designed primarily for the use of young students. In the judgment of the reviewer, it is more likely to be found serviceable by teachers of the French language than by teachers of history. As the entire volume is in French and the archaic literary forms have been retained in the extracts of remote date, much time must be consumed, even by students with considerable knowledge of French, in getting at the thought of the writers. So far as history is concerned, the reviewer believes their time may be more profitably employed in other directions.

Others features indicate even more clearly that the editors' idea of history is the literary conception. Historical materials which of themselves lead so readily to erroneous ideas as do *mémoires*, if used with young students, ought to be furnished with a copious supply of cautions or at least with the data by the use of which the necessary cautions may be observed. The former are not supplied at all, and the latter only in an incidental and inadequate manner. Even the dates of writing and the writer's opportunity for knowing whereof he wrote are often missing.

A considerable part of the introduction is consumed in expounding, after Bodley's *France*, that peculiar compound of English prejudice and preconception in regard to recent French history which assumes that because Parliamentary government under the Third Republic has had a different history and employs a different method from that of England it is therefore abnormal and unsuccessful.

FRANK MALOY ANDERSON.

Professor Hugh E. Egerton has brought out a second edition of his *Short History of British Colonial Policy* (London, Methuen and Company, pp. xv, 579). The first edition was published in 1879. The volume has been carefully revised with a view to the events of the last eleven years, the greatest of which was, of course, the South African war. Professor Egerton believes that war to have been unavoidable, but his discussion of its results is marked by his usual fairness, sanity and pene-

tration. The results of the recent convention in providing for a confederation of South Africa are not included in the volume. The new edition is improved by an excellent bibliography and a fuller index.

Die Vereinigten Staaten von Amerika: Ihre Politische, Wirtschaftliche und Soziale Entwicklung. Von Dr. Paul Darmstaedter, o. Professor in Göttingen. [Bibliothek der Geschichtswissenschaft, herausgegeben von Professor Dr. Erich Brandenburg.] (Leipzig, Quelle und Meyer, 1909, pp. vi, 242.) Professor Darmstaedter presents in these brief pages the outlines of our history, in succinct and clear form, from Jamestown to the \$29,000,000 fine. The viewpoint is national and the treatment scientific. Sixty-eight pages are devoted to the colonial period, twenty to the Revolution and the Constitution, and more than a hundred to the struggle between the North and the South. A closing chapter treats judicially what the author terms the Problems of the Present.

In all these divisions of the book sound knowledge and good taste are manifested. The full and sympathetic sketch of President Lincoln shows once again how great a place the first Republican president has won in world-history. Some objection might be raised to the acceptance as sober history of Carl Schurz's opinion that "rein moralische Motive in dem Kampfe gegen die Sklaverei vorherrschend und entscheidend gewesen sind" (p. 162), and others will demur at the conclusion that slavery and slavery alone was the cause of the Civil War. But this is not saying the author is not correct, nor is it to be taken as indicating a partizan attitude, for he looks upon the whole great strife between the North and the South very much as we regard the conflict between Austria and Prussia in the German Confederation. To him Gettysburg and Königgrätz, occurring in point of time so nearly together, were very similar as to their real meaning. This is perhaps a new comparison, but to the reviewer seems eminently just.

In treating the "present problems" of the United States Professor Darmstaedter is quite as fortunate. Railway rebating, the growth of "der Grosskapitalismus", the negro question, all receive fair and purely historical treatment. Once only the author treads very close to the borders of forbidden ground; that is, when he says (p. 228) that the federal government may yet be compelled to take possession of the railroads of the country.

New-Englands Plantation, with the Sea Journal and Other Writings. By Rev. Francis Higginson, First Minister of the Plantation at Salem in the Massachusetts Bay Colony. (Salem, Mass., The Essex Book and Print Club, 1908, pp. 133.) *New-Englands Plantation*, a tract of twenty-one pages in its first edition (London, 1630), contains the earliest printed account of the colony at Salem, of the natural conditions surrounding it, and of the life led there in its earliest days. The author

was Reverend Francis Higginson, who arrived in the colony June 30, 1629, was ordained teacher of its church on August 6 ensuing, and died on August 6, 1630. Though three editions were printed in London in 1630, few copies have survived. Reprints were published in 1792, 1836 and 1846 in various collections. The present volume, printed in an edition of only 175 copies, contains the text of the first edition, that of the third, that of Higginson's account of his voyage, preserved in manuscript, and some documents relating to his emigration. All are reproduced in a painstaking manner, the printed pieces in facsimile. There is an introduction, a page of notes, and an index.

New Hampshire as a Royal Province. By William Henry Fry, Ph.D. [Studies in History, Economics and Public Law, edited by the Faculty of Political Science of Columbia University. Volume XXIX., Number 2.] (New York, Longmans, Green and Company, 1908, pp. 526.) This work is confined to the colonial period. It treats of what was the principal field of investigation by Dr. Belknap who has always held the primacy among the historians of New Hampshire. Dr. Fry takes up what remains of the material that was accessible to Dr. Belknap and the very large accessions which modern investigation has made available.

The late John S. Jenness expressed an opinion, as follows:¹

Dr. Belknap's narrative of this early period, founded upon materials such as these—the only ones, however, at his command—could at best have drawn a mere outline of its history; and now it turns out that even the outline of our early history made by that elegant historian is utterly mistaken and distorted. The annals of New Hampshire, from the time of its first planting down to its erection into a royal province, in 1679, require to be entirely rewritten. A great mass of new material for that purpose has lately been gathered together by our antiquarians, and now awaits only the kindling pen of an impartial historian to shed a clear and satisfactory light over the tortuous ways and the dark mysteries of our early history.

The author of the work under examination has evidently made a systematic and satisfactory use of both the old and the new material to which modern investigators now have access. His method is not controversial. He is content to present the facts deducible from the records with reference to an orderly development of the province on the more important lines of political, industrial, financial, judicial and military activities and progress. He recognizes a divisional point at 1680, the date of the organization of the separate province. The period from the settlement to date of the union of Massachusetts Bay and New Hampshire, and the time of that union, 1641 to 1680, are the

¹ Jenness, *Notes on the First Planting of New Hampshire*, in *N. H. State Papers*, XXV., appendix, p. 698.

subject of elaborate treatment in the introduction. From 1679 to the departure of Governor John Wentworth in 1775, New Hampshire had a distinct and continuous province government with the exception of the brief time between 1685 and 1692. The author has grouped the results of his studies in this later period in six chapters, the Executive, the Legislature, the Land System, Finance, Justice, and Military Affairs.

The work in its entirety presents a view of colonial New Hampshire which will add a valuable contribution to its history and will afford fresh evidence of the abundance and value of the material which the author has found available for his present undertaking.

A. S. B.

History of the New York Society Library, with an Introductory Chapter on Libraries in Colonial New York, 1698-1776. Compiled and written by Austin Baxter Keep, A.M. (Printed for the Trustees by the De Vinne Press, 1908, pp. xvi, 607.) The present work is another excellent example of the tendency in American universities to recognize the importance of scientific investigation of local history. From a popular point of view nothing could be less attractive than such studies; like other pioneer work they involve much hewing of wood and drawing of water. But nothing is more essential to the progress of scientific research; and to leaders in research nothing can be more attractive.

Mr. Keep's investigation is remarkable for breadth and thoroughness. The manuscript minutes of the trustees of the library, complete from 1754 to date, the vestry minutes of Trinity parish, the minutes of the Common council, the diary of John Pintard, that well-known lover of learning, the Bray manuscripts in the library of Sion College, London, have all been sifted, together with a mass of newspaper and other material.

The result of these laborious researches is not only a monumental history of the Society Library, but an unrivalled history of libraries in colonial New York, and a large amount of new material relating to the history of other New York libraries during the nineteenth century, among the less known but not the least interesting of which were the Protestant Episcopal Library Society and the library established by Signor Da Ponte in 1826.

The value of the work to the local historian and genealogist is of course paramount, but it is also of importance as a study in library organization. The problems of library organization are nowhere more complex or more interesting than in New York and this record of the various efforts which have been made to secure a better library service in the metropolis must be of interest to librarians in all the larger and older urban communities.

On the side of library administration, however, the character of the library's collections and the policy pursued in making them, the use

of the library, its extent and nature, the equipment of the institution, etc., there is disappointingly little. A table showing the details of expenditures during the history of the library, a list of the publications of the library, and other matter of similar character would have added less to the bulk of the work than to its value.

One is inclined to believe, too, that in the composition of the work it would have been well to adhere less closely to the method of the annalist, and that the occasional efforts made to add vivacity to the narrative detract from its dignity.

Of a writer of local history, however, we may expect works of supererogation as well as those of an opposite character. The limitations of material and subject make these inevitable.

W. DAWSON JOHNSTON.

Journals of the House of Burgesses of Virginia, 1752-1755, 1756-1758. Edited by H. R. McIlwaine. (Richmond, 1909, pp. xxix, 551.) The proceedings of the Burgesses in two whole assemblies are recorded in this volume, the former having eight sessions, at various periods extending from February, 1752, to its dissolution in November, 1755, the latter four sessions, the first beginning in March, 1756, the last ending in April, 1758. The texts seem to be reproduced with great care and the introductions mark in respect to scholarship and relevancy a great advance upon the earlier volumes in the same series. Annotations, however, have been almost entirely suppressed. At the end are printed some sixteen pages of documents from George Bancroft's transcripts and from the Virginia archives—a group too small and too casual to be of sufficient illustrative importance.

This portly volume has all the value which the journals of a legislative assembly must ordinarily have for the history of a province. But in addition it may fairly be said that nowhere else can the history of Virginia's action in the Seven Years' War be so well traced as here. Only the published letters of Dinwiddie and of Washington rival the book in this respect and they are not the legal records of governmental action. One perceives that Dinwiddie was not unpopular at first, nor until after he raised so insistently the question of the pistole fee; and one sees how difficult it was for him after that episode to persuade the assembly to loosen the purse-strings with anything approaching generosity. After the affair at Fort Necessity, however, and especially after Braddock's defeat, money is voted on a liberal scale, though with some attempts at first to keep control of the details of expenditures. Supplies of money and of men occupy much of the time of the assembly from the fifth session of the earlier of the two assemblies mentioned above to the end of the volume. Meanwhile the frequency of sessions brings much of the usual routine business; and there is the usual process of perpetual adjustment of laws respecting

tobacco. In all outward aspects the volume maintains the high level of its predecessors.

Writings of George Washington. Edited with an Introduction and Notes by Lawrence B. Evans, Ph.D., Professor of History in Tufts College. (New York and London, G. P. Putnam's Sons, 1908, pp. lxix, 567.) Three classes of papers are to be included in the series of *Writings of American Statesmen*, of which Professor Evans's volume is the first. They are: "Documents which are of themselves important state papers", as Washington's *Farewell Address*; "accounts of important events in which the writer was a leading participant", as Jefferson's relation of the purchase of Louisiana; and "papers setting forth the opinions of the writers on important public questions", as Washington's opinions on Western settlements. Each statesman will be given one volume, and the important papers which will be included will be such as are of some interest to the general public and of special interest to college students. The selections made in the present volume are well calculated to realize this object. They deal with the early life of Washington, the Revolution, the formation of the Constitution, the starting of the new government, neutrality, the treaty-making power, the whiskey insurrection, and other similar incidents, and they close with the *Farewell Address*. There is an excellent analytical table of contents, an introduction of twenty-nine pages which contains a satisfactory treatment of Washington's relation to many of the important problems of the day, and a competent chronology. If the series is completed on this plan and made to cover some of the men who come later than the Revolutionary period, it ought to be a serviceable work for advanced classes in American history.

Augustus Caesar Dodge. By Louis Pelzer. [Iowa Biographical Series, edited by Benjamin F. Shambaugh.] (Iowa City, Iowa, The State Historical Society of Iowa, 1908, pp. xv, 369.) The Historical Society of Iowa has set a commendable example in directing attention to the "lesser statesmen" of American history. The editor of the *Iowa Biographical Series* is quite right in thinking that the lives of these less conspicuous men frequently best express the sentiments of their constituents. While such a series may not contribute much to our general knowledge of politics at Washington, it may be made to yield large returns if it opens up unworked areas in local politics.

There is not much to be said about Augustus Caesar Dodge as a national figure. He was essentially a commonplace man, possessing neither originality nor marked political talent. But as the representative of the territory and state of Iowa, he is not uninteresting. If his biographer had chosen to interpret his career in terms of local politics, he would have made a welcome contribution to the study of ante-bellum politics in this trans-Mississippi country. We know far

too little of those social and political transformations which overthrew Benton in Missouri and Dodge in Iowa. Mr. Pelzer records the political revolution of 1854 which broke the Democratic ascendancy in Iowa and prevented the re-election of Dodge to the Senate; but he has given no adequate explanation of the revulsion of popular sentiment in a constituency which had hitherto been staunchly Democratic.

Within the somewhat narrow limits of his task, Mr. Pelzer exhibits great industry. He has ransacked the *Congressional Globe* for personal items—not even omitting to tell the reader when Dodge moved to print five thousand copies of the Nebraska Bill—and he has verified faithfully all such extraneous details as the salary and office hours of the secretary of legation when Dodge became minister at the court of Spain. Seventy-five weighty pages of notes and citations bear witness to the painstaking—not to say painful—accuracy of the author. The outcome is not a well-balanced biography. The last twenty-three years of Dodge's life—when, to be sure, he was no longer a federal office-holder, though still an influential personage in his state—are crowded into a single chapter of ten pages, while his ancestry is traced discursively through some thirty-seven pages. Nevertheless, these earlier chapters contribute to an understanding of the environment in which Dodge moved. While the founding of the great commonwealth was not without dramatic moments, on the whole it was a steady process which attracted sober home-seekers rather than picturesque adventurers.

ALLEN JOHNSON.

The Story of a Border City during the Civil War. By Galusha Anderson, S.T.D., LL.D., Professor in the University of Chicago. (Boston, Little, Brown and Company, 1908, pp. xi, 385.) The author, a native of western New York, was an aggressive Union man and Baptist minister resident in St. Louis from 1858 to 1866. The book contains his personal recollections with a considerable discussion of the political conditions in St. Louis and Missouri as a background. The two divisions of the book are of quite unequal value. In the general discussion the conventional treatment of the period is followed without question; St. Louis dominates the state, and Blair and Lyon dominate St. Louis and save Missouri to the Union. No attention is given to the significant vote of the state in 1860, and no adequate credit to the influence of Benton's determined struggle for nationalism. A less excusable defect is the treatment of the "conditional Union" men. One looks in vain for any sympathetic understanding of the hard lot of these men who in the end stood by the flag in spite of ties of blood and tradition, or any appreciation of ex-Senator Henderson, the war Democrat, most influential member of the Convention of 1861, or even of Hamilton R. Gamble, provisional governor and himself a "conditional Union" man. Blair and the seventeen thousand Republicans of 1860 deserve great credit, but they did not control St. Louis, much less Missouri, which at every

opportunity cast an overwhelming vote against Secession. In short, the writer's viewpoint has been little modified in forty years.

But this lack of a period of reconstruction of judgments adds a charm to the really important part of the book, the personal reminiscences, which at times approach contemporary evidence in tone and vividness. The descriptions of the prisons and refugees, the hospitals and the Sanitary Commission, the passing of slavery in St. Louis, and the general over-turn of society are of real value. Perhaps the personality of the young, vigorous and rather uncompromising Union pastor and his relations with men of all shades of opinion are the most interesting features of the book.

JONAS VILES.

The Ancestry of Abraham Lincoln. By J. Henry Lea and J. R. Hutchinson. (Boston and New York, Houghton Mifflin Company, 1909, pp. xvi, 212.) By far the most notable volume which has been published so far this year in honor of the one hundredth anniversary of Abraham Lincoln's birth is Lea and Hutchinson's *Ancestry of Abraham Lincoln*. The authors have performed several important services. They have discovered and here publish documents which carry back the English ancestry of Lincoln three generations further than heretofore established. They show by direct and indirect evidence that the family had substantial claim to be numbered among the minor gentry of England and that if Samuel Lincoln, the great-great-great-grandfather of President Lincoln, did come to this country as a weaver's apprentice, Samuel Lincoln's father probably was entitled to write gentleman after his name. They for the first time present fully in orderly and convincing fashion the American pedigree from Samuel Lincoln down. They establish by documentary evidence a new, and, from at least two points of view, important fact in the American chain, *i. e.*, that Abraham Lincoln's grandmother, the mother of Thomas Lincoln, was not Mary Shipley, as heretofore believed, but Bathsheba Herring—a second wife. They give much valuable information about cognate American families, all of which helps place the Lincolns in that intelligent and enterprising pioneer class to which they really belonged. If the authors have left a few points unsatisfied they are minor points—nice tasks for future genealogists, and all so clearly indicated as to be easily attacked.

Not the least merit of the volume is its surprising interest for a genealogy. The material is presented with such clearness and with so much pride and pleasure in the task the authors set themselves—a patriotic service they evidently felt it, as it was—that one reads from start to finish with deepening satisfaction. The publishers deserve the thanks of all Lincoln lovers for the handsome volume they have made.

IDA M. TARBELL.

The Assassination of Abraham Lincoln and its Expiation. By David M. DeWitt. (New York, The Macmillan Company, 1909, pp. xi, 302.) In his final chapter Mr. DeWitt makes, I believe, a real contribution to the literature on this subject. Did President Johnson have an opportunity to see the petition of the five judges asking for the commutation of Mrs. Surratt's sentence in time to have acted upon it? This is the question discussed. Mr. DeWitt admits that with the death of Stanton the possibility of answering this question with assurance vanished. He does show, however, both with skill and conclusiveness, that Joseph Holt's *Vindication* and his *Refutation* are totally valueless as historical documents.

Not much is to be said for the rest of the work. Everybody knows that a plot to capture Lincoln preceded the plot to assassinate him, that both were the projects of the half-insane Booth, that the Great Conspiracy was a myth, that the military tribunal that tried Lincoln's murderers was without standing in law, and that Mrs. Surratt was convicted on insufficient evidence. To rehearse, therefore, particularly at such great length as Mr. DeWitt does, the wearisome tale of crime and madness on the one hand, and of official excitability and malignity on the other, is indeed a thankless task, to which moreover our author is able to bring neither a tolerable literary style nor a sense of humor.

The hypothesis which is offered in the opening chapter that Booth desired to capture Lincoln in order to force him to an exchange of prisoners rests, of course, on mere conjecture.

E. S. CORWIN.

Historic Indiana. By Julia Henderson Levering. (New York and London, G. P. Putnam's Sons, 1909, pp. xvii, 538.) Indiana history prior to statehood cannot be separated from the history of the Northwest, from which the state was carved. No attempt to do so is made in this volume, but the well-known connections of this region with French explorations, British occupation, Spanish influence on the Mississippi, and American conquest during the Revolution, are brought into view in the early chapters of the volume. The stories of the pilgrimages by the early settlers in the West, of their homes, habits and hardships, of their schools and social life, their adventures with the bear and the Indian—these are told in a graphic collection of incidents and reminiscences which has evidently been a labor of love by one whose own life has been rather closely related to the scenes and times of which she writes, the author's father being one of the most worthy and hardy of the pioneers whom the book so well memorializes. The author's stories and recollections and personal journals are such as are common to the early history of the Northwest. There are chapters on the Indian Territory, and the New State, but like the chapters on the Early Church in Indiana, Crimes on the Border, and the changes in travel from the blazed trail to the electric trolley, they continue the interesting pioneer stories of the white man's

contact with the Indian, of political electioneering in the early life of the state, of early experiences in medical practice, of the lawyer's life on the judicial circuits, and of the great changes that two generations have witnessed in the life and development of the state. There is not much on the governmental, political and institutional aspects of the state. The work is not offered as a connected and organized history, in any sense. It is rather a presentation of many miscellaneous historical incidents, phases and aspects in the life of Indiana localities and people, past and present. There are chapters on Indiana in the Civil War, Education, and Literature in Indiana, Agriculture in Indiana, National Resources, and the Type and Quality of the People—but no claim will be made that any of its chapters presents even an historical outline of the subjects of which the chapters treat. Yet the volume deals in a very interesting and readable way with much important historical material. Between its lids one may learn much of value about Indiana without reading a dull page. It is a fine tribute of a daughter of the commonwealth to the land and people whose life she has shared. Its topics, incidents and stories and its vivid contrasts between "then and now", are treated of in good literary style; and these merits together with the numerous and appropriate illustrations and the handsome and artistic form in which the book is published make the work a decided credit to the author and to the state.

JAMES A. WOODBURN.

TEXT-BOOK

Colonization: a Study of the Founding of New Societies. By ALBERT GALLOWAY KELLER, Ph.D., Professor of the Science of Society in Yale University. (Boston and London: Ginn and Company. 1908. Pp. xii, 632.)

BEFORE 1898 there was little interest in this country in the history and social conditions of European colonies. Colonial empire indeed to the average American would have meant little more than the state of things preceding our Revolutionary War. To be sure, there was a hazy notion that of late there had been going on a rapid extension of European control in Asia and Africa. The fact that our government had been concerned to some extent in the Treaty of Berlin in 1878 was known, the Congo Free State was understood to be in some way connected with attempts to crush out the last of African slavery, and there was a general notion that China was crumbling to pieces and would soon be divided among certain European powers. In 1898 our war with Spain brought close attention to the Philippine Islands, and aroused a widely spread interest in the problem of which those islands formed a part. The small number of observers who for years had been watching the processes of the extension of European ideas and authority throughout the non-European world was thus suddenly recruited in all

parts of the nation. Magazine articles, books and addresses on these subjects began to multiply, and regular courses of instruction on colonization were offered in many colleges and universities. Those who undertook to offer such courses at the outset were confronted with the difficulty of getting material in English which could be used in the average class. There were no general text-books, and assigned reading was not easy when passing beyond the scope of the British colonies. Lectures alone are not a fruitful means of instruction, but in many cases little else was practicable. Modern colonization began with the Portuguese and the Spanish in the fifteenth century and for a hundred years they were alone in the enterprise; the Dutch were among the first of those to attack their monopoly; the turn of events was by no means confined to America, but was well-nigh world-wide, and the English colonies from which our republic has come were but a small part of the vast overseas empire established by Portuguese and Spanish and Dutch and French and English. Obviously to follow the complicated thread of the story one needs to use many languages and to be conversant with world-history in many lands. Only thus does one learn that the United States is only an episode—an important one, to be sure—in the great processes which for four or five centuries past have been transforming the world. No one, too, can intelligently grasp modern history and modern social and economic conditions without broad knowledge of this great drama of European colonization.

To remedy some of the difficulties in the way of the college instructor Professor Keller has prepared a text-book on colonization of upwards of six hundred pages. The purpose being to provide a text for college classes in those branches of the subject for which material is especially lacking in this country, the author has not attempted to use primary sources, and has omitted the great field covered by the British and French. After the preliminary chapters, therefore, the greater part of the book is devoted to the work of the Portuguese, the Spanish and the Dutch. A couple of chapters in closing cover the brief Scandinavian experience and the very recent Italian and German undertakings. Very judiciously, too, a large part of the discussion relates to economic and social processes. These, indeed, are of the essence of colonization. Commerce has from the first been the crux of the colonial question, and the reaction on Europe of the acquisition of colonial possessions is of vast significance. Such discussions by Professor Keller, for instance, as that bearing on the collapse of the Portuguese Indian Empire and the decadence of Portugal, or that covering the production of gold and silver bullion in the Spanish Americas and the economic effects in Spain and the rest of Europe following the flow of this tide of the precious metals from the New World, or that treating of the Dutch experience with colonizing chartered companies, are illuminating chapters in the history of mod-

ern society. Indeed, the book is of value to the thoughtful general reader quite as much as for the purposes of a college class—a value enhanced by a small but well-selected bibliography. It is by no means an easy task to get so much into the compass of one volume without compression that leads to confusion, but Professor Keller has done it, and done it well. It is to be hoped that in subsequent studies he may contribute to the solution of some of the many problems which remain unsolved by the original investigator.

HARRY PRATT JUDSON.

NOTES AND NEWS

GENERAL

Mr. Robert Nisbet Bain, assistant librarian at the British Museum and author of many works on Slavonic and Scandinavian history and literature, died in May at the age of fifty-four.

We have just received notice of the death of Mgr. Pietro Wenzel, archivist of the Vatican.

Stanislaus Murray Hamilton, connected from 1880 till lately with the Bureau of Rolls and Library of the Department of State, editor of the *Writings of James Monroe, Letters to Washington* and other works, died in the city of Washington on May 10, aged 54.

Professor Charles W. Mann of Lewis Institute, one of the most valued historical teachers in Chicago, died May 1. The edition of the *Diary of James K. Polk*, which he had been preparing for the Chicago Historical Society, will be finished by Dr. M. M. Quaife, and will appear some time in the autumn or winter from the press of A. C. McClurg and Company.

Professor Eduard Meyer of the University of Berlin serves as the next German exchange professor at Harvard University, lecturing on ancient history. Professor George F. Moore goes to Berlin to lecture on the history of religions. Mr. G. W. Prothero of London lectures on the history of the British Empire during the second half of the year.

At the University of Chicago Dr. Ferdinand Schevill has been promoted to the full rank of professor in history; Dr. William E. Dodd, hitherto professor at Randolph-Macon College, has been appointed professor of American history; Dr. Joseph P. Warren has been promoted to an assistant professorship.

Professor William Stearns Davis of Oberlin College has been appointed professor of ancient history in the University of Minnesota.

We have delayed to notice that Dr. William E. Lingelbach was promoted last fall from the position of assistant professor to that of professor of European history in the University of Pennsylvania.

Professor Oliver H. Richardson of Yale University has been appointed to the professorship of European history in the University of Washington.

Dr. Emerson D. Fite has been promoted to an assistant professorship of history at Yale University.

Dr. Clarence Perkins of the University of Missouri has been made assistant professor of history in the Ohio State University.

Mr. Payson J. Treat has been appointed assistant professor of history and political science in Leland Stanford University.

The secretary of the American Historical Association has distributed to members the biennial *Handbook*. Besides giving the addresses of members the pamphlet conveys much useful information relating to the publications and activities of the Association. The *Annual Report* of the Association for 1907, consisting of two volumes (the second devoted to a portion of the Diplomatic Correspondence of the Republic of Texas) is expected to come from the Government Printing Office in July. Volume one of the report for 1908 has been transmitted to the Secretary of the Smithsonian Institution, and composition upon it can begin immediately after the beginning of the new fiscal year. Professor Krehbiel's prize essay on *The Interdict*, for which subscriptions should be sent to the treasurer, Dr. Clarence W. Bowen, is now in press.

A new publication devoted to the history of the natural sciences, *Archiv für die Geschichte der Naturwissenschaften und Technik*, edited by K. von Buchka, H. Stadler and K. Sudhoff, with the collaboration of the most eminent specialists, is to be published by Vogel, Leipzig. Articles will be printed in German, English, French or Italian.

The *Annual Magazine Subject-Index* for 1908, edited by Mr. Frederick W. Faxon (Boston Book Company, pp. 193) is a subject-index to 120 American and English periodicals additional to those which are included in the *Readers' Guide* and *Annual Library Index*. Though general in character it should be mentioned here because about thirty of the periodicals indexed are journals of history or genealogy and about as many more are publications of American historical societies.

From the papers left by the late Professor Ludwig Traube, of Munich, his friends and disciples propose to publish a series of five volumes of *Vorlesungen und Abhandlungen*, edited by Franz Boll. The first volume (Munich, Beck, 1909, pp. lxxv, 263) relates entirely to palaeography and the history of manuscripts, the principal portion being a history of palaeography from Papebroch to the present time. Among its other contents are a summary history of manuscripts and libraries, and a biography of Traube with a list of his published works.

A third and enlarged edition of the standard work, *Genealogisches Handbuch der Europäischen Staatengeschichte*, by O. Lorenz, has been prepared by E. Devrient and published by Cotta (Stuttgart, 1908).

In spite of the intimate relation that exists between history and economic geography, workers in one field are often ignorant of what is being accomplished in the other. To help to remove this defect the *Revue d'Histoire Moderne et Contemporaine* prints in its February number a series of notes on over thirty books and articles published in France within the last two years and bearing upon both departments of learning.

A monumental collection of the most important sources for the history of religion and civilization, *Orbis Antiquitatum: Religions- und*

Kulturgeschichtliche Quellenschriften im Urtext, Umschrift und Uebersetzung, is to be published by Lumen (Leipzig and Vienna), under the direction of M. Altschüler and J. Lanz-Liebenfels. The first issues are to be old versions of the Bible, of Talmudic and cabalistic documents and of the apocrypha of the Old and New Testaments. The most important manuscripts will be reproduced in phototype in an atlas. Part of the codex Hebr. 95 of the Munich library, the only complete manuscript of the Talmud of Babylon, has been published (Pars III., Tomus I., Cod. Hebr. Monac. 95, Die Pfersee-Handschrift, Heft I.), and the first volume (Genesis) of *Die Griechischen Bibelversionen* (Septuagint and Hexapla).

Of more popular character than the foregoing will be a collection announced by the house of Dietrich, *Religions-Urkunden der Völker*, edited under the direction of Dr. J. Boehmer with the collaboration of many German university professors. This series will consist of free translations into German of the religious texts of all peoples, together with some descriptive sources, and introductions, notes and indices. One of the five sections of the collection relates to the primitive peoples of America. A volume has already appeared on *Die Religion der Batak: Ein Paradigma für Animistische Religionen des Indischen Archipels*, by J. Warneck.

A. N. Blatchford's *Church Councils and their Decrees* (London, P. Green, pp. 151) contains short accounts of the councils of Jerusalem, 45; Nicaea, 325; Constantinople, 381; Chalcedon, 451; the second and fourth Lateran Councils, 1139, 1215; Toulouse, 1228; Constance, 1415; Trent, 1545; and the Vatican Council, 1869.

Studies in Mystical Religion (Macmillan, 1909, pp. 556), by Mr. Rufus M. Jones, treats of the mystics from the days of primitive Christianity to the end of the English Commonwealth.

Dr. W. P. Ker of University College, London, delivered an address to the Historical Society of the University of Glasgow on January 8, 1909, *On the Philosophy of History* (MacLehose).

Mr. E. Bruce Forrest has contributed an article on *The Equipment of a History Room* to a recent issue of the *School World*.

Noteworthy articles in periodicals: E. Ibarra y Rodriguez, *Cómo debe ser Enseñada la Historia?* (Cultura Española, February); A. D. Xenopol, *Zur Logik der Geschichte* (Historische Zeitschrift, CII. 3); James Ford Rhodes, *Newspapers as Historical Sources* (Atlantic Monthly, May); F. H. Clark, *The Influence of the Report of the Committee of Seven on History Work in the High Schools* (Educational Review, April); A. L. Smith, *History and Citizenship: a Forecast* (Cornhill Magazine, May) [a lecture on F. W. Maitland].

ANCIENT HISTORY

Under the title *The Religion of Babylonia and Assyria, especially in its Relations to Israel* (London, Luzac, 1908, pp. 249), Professor R. W. Rogers has published a set of lectures delivered by him at Harvard University.

The French Institute of Oriental Archaeology was opened at Cairo in April. Its publications, which will relate to the history of Egypt, will be published through the house of Fontemoing, Paris.

The first part of Raymond Weill's *Les Origines de l'Égypte Pharaonique*, covering the second and third dynasties, has been published in the *Annales du Musée Guimet* (Paris, Leroux).

The first volume of Dr. Georg Möller's work on *Hieratische Paläographie* (Leipzig, Hinrichs) deals with Egyptian book-writing in its development from the fifth dynasty to the period of the Roman Empire.

The fourteenth volume of *Archives Marocaines* (Paris, Leroux) contains two monographs by Nahum Slouschz, assistant at the Academy of Inscriptions and Belles-Lettres, of which one, *Judéo-Hellènes et Judéo-Berbères*, is a study of the origins of Jews and Judaism in Africa (pp. 272), and the other, *Les Hébraeo-Phéniciens*, is an introduction to the history of the origins of Hebrew colonization in Mediterranean countries (pp. 206).

Writings relating to Greek history published outside France from 1901 to 1908 are analyzed by G. Glotz in the May-June number of the *Revue Historique*.

From the Clarendon Press comes the first volume of *Scripta Minoa: the Written Documents of Minoan Crete*, by A. J. Evans. This volume treats especially of the earlier pictographic and hieroglyphic script, but contains an introductory general view of the progress of the discoveries, the successive types of script and their relation to one another.

Six lectures delivered before the University of London by David G. Hogarth, director of the Cretan Exploration Fund, treating mainly of the circumstances under which Hellenic civilization came into existence, have been issued by the Clarendon Press under the title *Ionia and the East*.

Professor Allan Marquand of Princeton has contributed a volume on *Greek Architecture* (New York, Macmillan, 1909, pp. x, 425) to the series of illustrated *Handbooks of Archaeology and Antiquities* edited by Professors Percy Gardner of Oxford and F. W. Kelsey of the University of Michigan. In this admirable book the principles of construction, form, proportion, etc., are discussed with much learning but so clearly as to be intelligible to beginners.

The first volume of the Library of the Faculty of Letters of the University of Paris is entitled *Mélanges d'Histoire Ancienne* (Alcan),

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and includes the following monographs: M. Aemilius Scaurus, *A Study of the History of Parties in the Seventh Century at Rome*, by G. Bloch; *Histoire de l'Ostracisme Athénien*, by J. Carcopino; and *L'Approvisionnement d'Athènes en Blé au V. et au VI. Siècles*, by L. Gernet.

L. Pareti's *Ricerche sulla Potenza Marittima degli Spartani e sulla Cronologia dei Navarchi* (Turin, Bona, 1909, pp. 90), separately printed from the *Memoirs of the Royal Academy of Sciences of Turin*, second series, vol. LIX., treats of the Spartan navy from its origins to the Persian wars, the origin and the chronology of the *navarchia*, the composition of the fleet in classic times, the navy from 372 to 146 B. C., and the officers of the navy from the Persian wars to the battle of Leuctra.

From the University of Chicago Press comes a doctoral dissertation, accepted by the University of Bern, on *Artaxerxes III. Ochus and his Reign*, by N. C. Hirschy. The author has given special consideration to the Old Testament sources bearing upon the period.

A life of Theodor Mommsen by L. M. Hartmann (Gotha, Perthes, 1908), which professes to be only a biographical sketch, contains in the long appendix some political articles by Mommsen, published in the *Schleswig-Holsteinische Zeitung* of 1848, and a brief writing which appeared in *Die Nation* in 1902.

A volume of "The Collected Essays of H. F. Pelham", edited by F. Haverfield, is announced for publication by the Clarendon Press.

Professor F. Haverfield has published through Macmillan a revised edition of Dr. W. P. Dickson's translation of Mommsen's *Provinces of the Roman Empire from Caesar to Diocletian*, originally published in its English edition in 1886, and now out of print.

Professor D. R. Stuart, of Princeton, has issued in the series of *Macmillan's Latin Classics*, edited by Professor Egbert, a text of *Tacitus: The Agricola*, in which he has "endeavored to evaluate . . . the data rendered accessible by Annibaldi's recent publication of the Jesi manuscript", discovered in 1902.

Of the greatest importance for its subject is M. E. Bréhier's *Les Idées Philosophiques et Religieuses de Philon d'Alexandrie* (Paris, Picard, 1908, pp. xiv, 336), in which the author explains the doctrines of the philosopher more clearly than has been done hitherto, and shows their historical origins.

Mr. T. R. Glover, of St. John's College, Cambridge, author of *Life and Letters in the Fourth Century* and of *Studies in Virgil*, tries to make the thought and life of classical times real to the reader in his book on *The Conflict of Religions in the Early Roman Empire* (Methuen, 1909, pp. 359).

Das Leben des Heiligen Symeon Stylites, the fourth heft of the series of *Texte und Untersuchungen zur Geschichte der Altchristlichen*

Literatur, edited by Professor A. Harnack and C. Schmidt, contains a critical edition of the Greek sources by Professor H. Lietzmann of Jena, with the assistance of the members of his seminar, and a translation of the Syriac sources by H. Hilgenfeld, who will later publish the Syrian text itself.

The Cambridge University Press has recently published the second volume of *The Digest of Justinian* (1909, pp. 462), containing books VII. to XV., translated by C. H. Monro.

Noteworthy articles in periodicals: A. E. Zimmern, *Was Greek Civilization based on Slave Labour?* (The Sociological Review, January); P. Guiraud, *La Propriété Individuelle à Rome* (Revue des Questions Historiques, April); Tenney Frank, *A Chapter in the Story of Roman Imperialism [200-180 B. C.]* (Classical Philology, April); C. H. Moore, *Individualism and Religion in the Early Roman Empire* (Harvard Theological Review, April).

EARLY CHURCH HISTORY

An English translation of *The Early History of the Church from its Foundation to the End of the Third Century*, by Mgr. L. Duchesne, has been published by Murray (1909).

In *The Rise of the Medieval Church* (Putnams), Professor A. C. Flick, of Syracuse University, traces the change from the apostolic church of the first century to the ecclesiastical hierarchy of the Middle Ages.

Noteworthy articles in periodicals: A. C. McGiffert, *The Influence of Christianity upon the Roman Empire* (Harvard Theological Review, January); H. von Soden, *Der Streit zwischen Rom und Karthago über die Ketzertaufe* (Quellen und Forschungen, XII. 1); V. Ermoni, *La Crise Arienne* (Revue Historique, May-June).

MEDIEVAL HISTORY

That part of Professor S. B. Harding's text-book on the medieval and modern period which relates to the Middle Ages has been issued with a separate cover and index, under the title *Essentials in Mediaeval History* (American Book Company, 1909, pp. 293).

Recent additions to the series *Abhandlungen zur Mittleren und Neueren Geschichte* (Berlin, Rothschild), edited by Professors von Below, Finke and Meinecke, are *Die Anschauungen des Papstes Nikolaus I. über das Verhältnis von Staat und Kirche* (1909, pp. v, 69) and *Arnald von Villanova als Politiker und Laientheologe* (1909, pp. 105).

An important contribution to the history of Carolingian administration has been made by W. Luders in his work entitled *Capella: Die Hofkapelle der Karolinger bis zur Mitte des 9. Jahrhunderts: Capellae auf Königs- und Privatgut*, concluded in the *Archiv für Urkundenforschung*, II. 1.

Under the title *Mélanges Carolingiens*, V.-IX. (Paris, Champion, pp. 69), F. Lot publishes a series of papers on the history of Charles the Bald, which have previously appeared in *Le Moyen Age*, 1908.

M. P. Aubry has condensed into a small volume entitled *Trouvères et Troubadours* (Paris, Alcan, 1909, pp. 224) the results of his researches relative to the musical work of trouvères and troubadours, and the various kinds of musical entertainments in vogue in the Middle Ages.

L. Delisle, *Rouleau Mortuaire du B. Vital, Abbé de Savigni*, contains 207 titles written in 1122-1123 in different churches of France and of England (Paris, Champion, 1909, pp. ix, 47, and 49 plates, 207 documents, reproduced in phototype).

Among the writings on Saint Elizabeth called forth by the seven-hundredth anniversary of her birth, probably the most important is Albert Huykens's *Quellenstudien zur Geschichte der Heiligen Elisabeth, Landgräfin zu Thüringen* (Marburg, Elwert), much of which was originally published in the *Historisches Jahrbuch der Görres-Gesellschaft*. Another work of value is Baron Friedrich von Hügel's *The Mystical Element in Religion as Studied in Saint Catherine of Genoa and her Friends* (New York, Dutton).

Documentary publications: H. Otto, *Das Avignoneser Inventar des Päpstlichen Archivs vom Jahre 1366 und die Privilegiensammlungen des Fieschi und des Platina: Ein Beitrag zur Geschichte des Vatikanischen Archivs im 14. und 15. Jahrhundert* [with *Konkordanztafel* by F. Schillmann] (*Quellen und Forschungen*, XII. 1).

Noteworthy articles in periodicals: F. Ricci, *Note sur les Tarifs de la Loi Salique* (*Revue Historique*, March-April); C. H. Haskins, *A List of Text-Books from the Close of the Twelfth Century* (*Harvard Studies in Classical Philology*, XX.); J. Luvès, *Päpstliche Wahlkapitulationen: Ein Beitrag zur Entwicklungsgeschichte des Kardinalats* [a paper read at the International Congress for the Historical Sciences at Berlin, August 12, 1908] (*Quellen und Forschungen*, XII. 1); F. Schneider, *Toscanische Studien*, III. (*Quellen und Forschungen*, XII. 1); R. Scholz, *Studien über die Politischen Streitschriften des 14. und 15. Jahrhunderts* (*Quellen und Forschungen*, XII. 1); F. Bliemetzrieder, *Raimund von Capua und Caterina von Siena zu Beginn des Grossen Abendländischen Schismas* (*Historisches Jahrbuch*, XXX. 2); J. Haller, *Die Pragmatische Sanktion von Bourges* (*Historische Zeitschrift*, CIII. 1); H. Pirenne, *Qu'est-ce qu'un Homme Lige* (*Bulletin de l'Académie Royale de Belgique, classe des lettres*, 1909, 3).

MODERN EUROPEAN HISTORY

Gentlemen Errant, by Mrs. Henry Cust (Murray, 1909, pp. xix, 551), will be of much interest to students of the life of the later fifteenth and sixteenth centuries. The compiler prints in condensed form, with abun-

dant scholarly annotations, four narratives from the old German chronicles relating to the journeys and adventures of four German noblemen in Europe, whose expeditions cover the period from 1465 to 1588.

The Renaissance and Reformation: a Text-Book of European History, 1494-1610, by Miss E. M. Tanner (Oxford, Clarendon Press, 1909), is adapted to the last years of high school or the first years of college. It is provided with questions, bibliographies, a chronological summary and eight large folding maps.

An address delivered by Richard Garbe, rector of the University of Tübingen, on the birthday of the King of Württemberg, has been issued in enlarged form under the title *Kaiser Akbar von Indien: Ein Lebens- und Kulturbild aus dem Sechzehnten Jahrhundert* (Leipzig, Haessel).

The English in China (London, Pitman, 1909, pp. 634), by Mr. J. Bromley Eames, sometime professor of law in the Imperial Tientsin University, is a history of the relations between England and China from 1600 to 1843, with a summary of later developments.

Mr. L. G. Wickham Legg has published a *List of Diplomatic Representatives and Agents, England and France, 1689-1763* (Oxford, Blackwell, 1909, pp. 49), which contains bibliographical indications and is a continuation of the list by Professor Firth and Mrs. Lomas noted in an earlier number of this REVIEW (XII. 710).

A standard work by an Austrian general, *A Short History of the Chief Campaigns in Europe since 1792*, by General A. von Horsetzky, has been translated by Lieutenant K. B. Ferguson and published by Murray.

The tenth heft in Professor Lamprecht's series, *Beiträge zur Kultur- und Universalgeschichte* (Leipzig, Voigtländer), is F. Dittman's study of *Der Begriff des Volksgeistes bei Hegel*, and is also a contribution to the history of the conception of development in the nineteenth century (1909, pp. 108).

Dr. J. Holland Rose has edited *A History of Malta during the Period of the French and British Occupation, 1798-1802*, by the late William Hardman, of Valetta. The work is illustrated by documents, and includes an epitome of subsequent events.

Europe since the Congress of Vienna is the subtitle of the second volume of *The Development of Modern Europe* by Professors J. H. Robinson and C. A. Beard (New York, Ginn). A companion volume of *Readings*, covering the same period, has recently been published.

The Russian Army and the Japanese War, historical and critical comments on the military policy and power of Russia and on the campaign in the Far East, by General Kuropatkin (London, Murray, 1909, pp. 342, 356), is a translation by Captain A. B. Lindsay, edited by Major E. D. Swinton, of two of the four volumes printed in Russia and suppressed

by the government. The two unpublished volumes are confined to military technicalities. In this country the book is published by E. P. Dutton and Company.

Lieutenant Karl von Donat continues his translation of the history of *The Russo-Japanese War* prepared in the Historical Section of the German General Staff, with a volume devoted to *Wa-fan-gou and Actions Preliminary to Liao-Yan* (London, Rees, 1909, pp. 272). The earlier volume on *The Yalu* has been noted in these pages (XIV. 405).

Commander Vladimir Semenoff's diary during the blockade of Port Arthur and the voyage of the fleets under Admiral Rojestvensky has been published by Murray under the title *Rasplata* ("The Reckoning").

A new volume in Professor Lamprecht's series, *Beiträge zur Kultur- und Universalgeschichte* (Leipzig, Voigtländer), is an investigation into the *Kultur und Reich der Marotse: Eine Historische Studie*, by Martin Richter.

Noteworthy articles in periodicals: L. Lallemand, *Les Maladies Épidémiques en Europe du XVI^e au XIX^e Siècle*, concl. (*Revue des Questions Historiques*, April); K. Benrath, *Neuaufgefundene Briefe von Paul Sarpi* (*Historische Zeitschrift*, CII. 3); C. Brinkmann, *The Relations between England and Germany, 1660-1688* (*English Historical Review*, April); J. H. Rose, *The Missions of William Grenville to the Hague and Versailles in 1787*, I. (*English Historical Review*, April); E. Driault, *Bonaparte et le Recès Germanique de 1803*, concl. (*Revue Historique*, March-April).

GREAT BRITAIN AND IRELAND

Mr. Hubert Hall of the Public Record Office completed in June the thirtieth year of his service in that institution. In commemoration of this and in recognition of his constant kindness toward American students visiting the Public Record Office, a body of these American friends have presented to him a substantial gift and a formal testimonial bearing many signatures.

The historical bulletins of the March-April and May-June numbers of the *Revue Historique* include a review by M. Ch. Bémont of recent publications in the field of English history.

F. M. Stenton's account of *William the Conqueror, and the Rule of the Normans in the Heroes of the Nation* series (Putnam's, pp. xi, 518) presents in readable form the most important results of recent scholarly research.

Mr. Nathaniel J. Hone has edited for the Manorial Society a legal treatise dating from the late sixteenth or early seventeenth century, entitled "*A Mannor and a Court Baron*", Harleian MS. 6714 (The Manorial Society, I, Mitre Court Buildings, Temple, London, E. C., 1909, pp. ix, 59), of interest as an exposition of the then accepted views of the institutions of which it treats.

In the *Juristische Festgabe des Auslandes zu Josef Kohlers 60. Geburtstag* (Stuttgart, Enke), Dr. H. D. Hazeltine of the University of Cambridge has a valuable article on the "Early History of Specific Performance of Contract in English Law".

A history of *The Development of the English Law of Conspiracy* (Baltimore, 1909, pp. 161), contributed by James Wallace Bryan to the *Johns Hopkins University Studies in Historical and Political Science*, series XXVII., nos. 3-5, purports to be based upon an examination of every relevant statute and case from the reign of Edward I. to the present. More than a fourth of the book is devoted to a study of the law in its relation to combinations of labor.

Besides the continuation of works already begun, the Navy Records Society expects to issue the Journal of Captain Sir John Narbrough, 1672-1673, also a volume of official documents illustrating the social life and internal discipline of the navy in the eighteenth century, and a selection from the correspondence of the first Earl of Chatham and his sons.

Messrs. P. S. King and Son of London have printed (1909, pp. 496) a *History of the Bank of England*, an English translation of a volume written in French by Professor A. Andreades of the University of Athens, who has traced in careful fashion the origin and development of the bank's business and its relations to the finances of Great Britain.

In the ninth volume of the *Political History of England* (Longmans, 1909, pp. 578), edited by the Rev. W. Hunt and R. L. Poole, Mr. I. S. Leadam treats of the period from the accession of Anne to the death of George II.

Mr. Algernon Cecil's *Six Oxford Thinkers* (Murray, 1909) is an attempt to trace the origin and development of certain ideas of history bearing upon the Christian religion by means of studies of six representative men, Gibbon, Newman, Froude, Church, Morley, Pater.

The Cambridge University Press has reissued in cheaper form Mr. E. Porritt's *The Unreformed House of Commons* (pp. 598).

A lecture by Professor C. H. Firth on *Edward Hyde, Earl of Clarendon, as Statesman, Historian, and Chancellor of the University* has been printed by the Clarendon Press (1909, pp. 28).

M. H. Ollion's *Notes sur la Correspondance de John Locke, suivies de Trente-Deux Lettres Inédites de Locke à Thoynard, 1678-1681* (Paris, Picard, 1908, pp. 144), contains a chronological list of the letters of Locke accessible to the public, with references to the works in which they have been printed, or, in the case of unpublished letters, to the manuscripts. The letters to Thoynard relate largely to scientific discoveries and inventions, and are annotated by the editor.

A collection of *Joseph Cowen's Speeches on the Near Eastern Question, Foreign and Imperial Affairs, and on the British Empire*, revised by his daughter, has been published through Longmans (1909, pp. 349). The speeches extend from 1876 to 1897. Some have been reprinted in Major Jones's work, *Life and Speeches of Joseph Cowen*, others in Mr. Andrew Reid's book, *Election Speeches*. The remainder have appeared only in the daily papers.

In M. Paul Mantoux's volume *À Travers l'Angleterre Contemporaine*, published in Alcan's *Library of Contemporary History*, the topics principally discussed are the South African War and Opinion, the Organization of the Labor Party, and the Evolution of the Government and of the State.

British government publications: *Calendar of Inquisitions Post Mortem*, VII., Edward III.; *Calendar of Patent Rolls*, Richard II., vol. VI., 1396-1399; *Calendar of Papal Registers, Papal Letters*, VIII., 1427-1447; *Calendar of State Papers, Foreign*, Elizabeth, May-December, 1582; *Index of Chancery Proceedings, 1621-1660*.

Other documentary publications: W. Foster, *The English Factories in India*, III., 1624-1629 (Oxford University Press); K. Meyer, *Collo-type Facsimile of Irish Manuscripts in the Bodleian Library* [Rawlinson B. 502, including the Annals of Tigernach; the Psaltair na Rann; Brehon law tracts; and many poems and stories, tribal histories and genealogies] (Oxford University Press, 1909).

Noteworthy articles in periodicals: Dean Armitage Robinson, *Lanfranc's Monastic Constitutions* (The Journal of Theological Studies, April); C. H. Haskins, *The Administration of Normandy under Henry I.* (English Historical Review, April); R. G. Usher, *The Deprivation of Puritan Ministers in 1605* (*ibid.*); A. V. Dicey, *Mr. Lowell on English Party Government* (Quarterly Review, April).

FRANCE

In its last two awards, the Grand Prix Gobert has been given (except a small portion) to M. F. Strowski for his *Histoire du Sentiment Religieux en France au Dix-Septième Siècle*, and to M. Delachenal for his *Histoire de Charles V.* The Prix Thérouanne has been divided among M. Caudrilhier, author of *La Trahison de Pichegru*, and six others, and the larger portion of the Prix Bordin, between Dom H. Quantin for his *Martyrologes Historiques du Moyen Age*, and M. A. Vogt for his *Basile Ier.*

A work which will be of much aid in determining the origin of many valuable documents is being compiled by M. H. Omont and published by the Comité des Travaux Historiques under the title *Anciens Inventaires et Catalogues de la Bibliothèque Nationale*. The first volume (1908, pp. 482) contains three inventories of the sixteenth century.

The authorities of the Bibliothèque Nationale are collecting all the *pièces judiciaires* of such celebrated cases as that of the Diamond Necklace, etc. A catalogue in several volumes will be compiled under the direction of M. Marchal, keeper of the department of printed books.

M. O. Martin, of the University of Rennes, has studied the conflict between lay and ecclesiastical jurisdiction in the fourteenth century, in his work, *L'Assemblée de Vincennes de 1329 et ses Conséquences* (Paris, Picard).

The second volume of H. Hauser's invaluable guide to *Les Sources de l'Histoire de France, XVI^e Siècle (1494-1610)* (Paris, Picard, 1909) deals with the reigns of Francis I. and Henry II. (1518-1559).

An important contribution to the early history of maritime jurisprudence is made by M. Auguste Dumas in his *Étude sur le Jugement des Prises Maritimes en France jusqu'à la Suppression de l'Office d'Amiral (1627)* (Paris, Larose, 1908, pp. 356). The author discusses the jurisdiction of the admiral from the origin of the office, the regulation of privateering, the organization and competency of the admiralty courts, the procedure in regard to prizes, extraordinary jurisdictions and the mode of executing judgment.

Professor James Westfall Thompson has brought out through the University of Chicago Press a large and handsome volume on *The Wars of Religion in France: the Huguenots, Catherine de Medici and Philip the Second, 1559-76* (1909, pp. 618), which will be reviewed in a later number of this journal.

M. H. d'Alméras has brought out a vividly written and copiously illustrated volume on *La Vie Parisienne sous la Révolution et le Directoire* (Paris, Michel, 1909).

The first number of the ninth volume of *University Studies*, published by the University of Nebraska (Lincoln, pp. 87), is a detailed account of *The First Revolutionary Step (June 17, 1789)*, by Carl Christophelsmeier.

G. Caudrillier's study of *L'Association Royaliste de l'Institut Philanthropique à Bordeaux et la Conspiration Anglaise en France pendant la Deuxième Coalition* (Paris, Soc. Franç. d'Impr. et de Libr., 1908, pp. xxviii, 90) is based on unpublished documents preserved in the Archives Nationales and in the London Record Office.

In a small book called *Au Pays d'Exil de Chateaubriand* (Paris, Champion, 1909, pp. 239) M. Anatole le Braz gives the results of an interesting investigation into the history of Chateaubriand's life during the seven important years, 1793-1800, which he spent in England, and especially into his life in Suffolk.

L'Exile et la Mort du Général Moreau, by M. E. Daudet (Paris, Hachette, 1909) is drawn from unused documents in the Russian and French archives and from family papers.

Mr. F. A. Simpson's volume, *Louis Napoleon and the Napoleonic Legend* (Murray, 1909), is based on a careful examination of much unpublished material.

Gambetta, par Gambetta (Paris, Ollendorf), a collection of family and personal letters, edited by M. P. B. Gheusi, with many portraits and facsimiles, supplies much new information, especially concerning the early years of the statesman.

M. Jules Sion's elaborate study of *Les Paysans de la Normandie Orientale: Pays de Caux, Bray, Vexin Normand, Vallée de la Seine* (Paris, Colin, 1909, pp. 544) while primarily geographical is also historical in its treatment. The work is published as the seventeenth fascicle in the Bibliothèque de la Fondation Thiers.

Documentary publications: Guillaume du Breuil, *Stilus Parlamenti*, edited by F. Aubert [Collection des Textes pour servir à l'Étude et à l'Enseignement de l'Histoire, XLI., XLII.] (Paris, Picard, 1909, pp. lxxx, 224); M. Stein, *Inventaire Analytique des Ordonnances Enregistrées au Parlement de Paris jusqu'à la Mort de Louis XII.* (Paris, 1908, pp. 132); Mlle. Pellechet, *Catalogue Général des Incunables des Bibliothèques Publiques de France*, III. (C.-G.) (Paris, Picard, 1909, pp. viii, 653); A. Leroux, *Les Sources du Département de la Haute-Vienne pendant la Révolution* (Limoges, Ducourtieux, 1908, pp. 170); F. Vermales and S.-C. Blanchoz, *Procès-Verbaux de l'Assemblée Générale des Allobroges et de la Commission Provisoire d'Administration des Allobroges*, I. (October 29–November 16, 1792) (Paris, Alcan, 1908, pp. 244); É. Charavay, *Correspondance Générale de Carnot*, IV. (November, 1793–March, 1795); F. A. Aulard, *Recueil des Actes du Comité de Salut Public*, XVIII. (November 7–December 20, 1794); *Lettres de l'Empereur Napoléon du 1^{er} Août au 18 Octobre 1813, non insérées dans la Correspondance, publiées par X.* (Paris, Berger-Levrault, 1909, pp. 266).

Noteworthy articles in periodicals: J.-M. Vidal, *Doctrine et Morale des Derniers Ministres Albigeois*, I. (Revue des Questions Historiques, April); A. de Boislisle, *La Désertion du Cardinal de Bouillon en 1710*, concl. (Revue des Questions Historiques, April); É. Lamy, *Un Négateur de la Souveraineté Populaire: Nicolas Bergasse (1750–1832)*, I. (Le Correspondant, April 25); L. Hartmann, *Les Officiers de l'Armée Royale à la Veille de la Révolution*, I., II. (Revue Historique, March–April, May–June); P. de la Gorce, *Études d'Histoire Religieuse*, I. *Le Serment Ecclésiastique en 1791* (Le Correspondant, April 25); G. Lenôtre, *Madame Gasmier, l'Américaine* (*ibid.*).

ITALY AND SPAIN

Recent works on the medieval history of Italy are reviewed by M. R. Poupardin in the historical bulletin of the *Revue Historique* for March–April. The latest such work from an American pen is Professor Ferdinand Schevill's *Siena* (Scribners).

Under the auspices of the Ministry of Public Instruction, the direction of the National Library of San Marco in Venice has begun a *Catalogo dei Codici Italiani* (Modena, Ferraguti, 1909) of that library, and has published the first volume under the direction of the librarians, C. Frati and A. Segarizzi. The published volume describes 420 codexes, including all those of the Fondo Antico (Zanetti) and of the first three classes of the Appendice, relating to the Bible and ecclesiastical writers; jurisprudence and philosophy; medicine and natural history.

In the *Sitzungsberichte* of the Bavarian Academy, phil.-hist. Kl., 1908, 8, H. Simonsfeld publishes the fourth part of his investigations relative to the documents concerning Frederick I. in Italy. Several appendices are devoted to detailed explanations of single documents.

The Italian General Staff is to publish a two-volume supplement to the *History of the Campaign of 1866*, which, it is announced, will contain much new documentary material relating to Italian policy in this year.

Among the studies by Señor de Laiglesia, a banker, published in various reviews and now brought together under the title *Estudios Históricos, 1515-1555* (Madrid, 1908, pp. xiii, 743), the most original relate to the financial history of the reign of Charles V., whose imperial policy, it is argued, did not ruin Spain. Important unpublished documents are included.

Letters from the Peninsula (1808-1812), by Lieutenant-General Sir William Warre, edited by his nephew, the Rev. Edmond Warre (Murray, 1909), forms an almost continuous narrative of the principal events of the war down to the battle of Salamanca.

Documentary publications: D. M. Giudici, *I Dispacci del Ambasciatore Veneziano Daniele Dolfris, 1702-1708* (Venice, Inst. Veneto di Arte Grafiche, 1908, pp. 300).

GERMANY, AUSTRIA, SWITZERLAND

The new quarters of the Royal Saxon Institute of the University of Leipzig for the History of Civilization and Universal History were opened a few weeks ago under the direction of Professor Karl Lamprecht. The building is itself one of great historical interest, the Goldener Bär in Universitätsstrasse, with memories of Goethe and other historical traditions. It has been fitted up in a modern manner and adapted to seminary uses, containing a library of considerable size, other collections useful to the history of civilization, and appropriate rooms for study. An attractive pamphlet respecting the new building is available. Here the general and special courses under Professor Lamprecht's direction will hereafter be given.

In O. Glauning's article *Ueber Mittelalterliche Handschriftenverzeichnisse* in the *Zentralblatt für Bibliothekswesen*, 1908, pp. 357-380, the

author gives an account of the progress of the labors of the academies of Berlin, Göttingen, Leipzig, Munich and Vienna in preparing a *Corpus* of the catalogues of manuscripts drawn up in the Middle Ages in Germany.

In Dr. Andreas Walther's scholarly monograph, *Die Burgundischen Zentralbehörden unter Maximilian I. und Karl V.* (Leipzig, Duncker und Humblot, 1909, pp. ix, 220), the author's discussion extends from the period of Philip the Good to modern times, but detailed treatment is given to the years from 1477 to 1531.

Professor Moritz Ritter, editor of the *Briefe und Akten zur Geschichte des Dreissigjährigen Krieges*, has completed his authoritative work on *Deutsche Geschichte im Zeitalter der Gegenreformation und des Dreissigjährigen Krieges* (1555-1648) (Stuttgart, Cotta, 1908, pp. xv, 648), by the issue of a third volume.

Die Demokratische Bewegung in Berlin im Oktober 1848 (Berlin, Rothschild, 1909, pp. vi, 192) is the subject of a monograph contributed by Dr. G. Lüders to the series of *Abhandlungen zur Mittleren und Neueren Geschichte*, edited by Professors von Below, Finke and Meinecke.

The association for Germanism abroad has recently decided to constitute a bureau to direct and centralize researches relative to the history of German emigration, to the extension of the German language and ideas, etc. The results of these researches will be published in two organs, *Das Deutschtum im Ausland* and *Die Deutsche Erde*, the latter of a more scientific character.

Three small volumes of the speeches of Kaiser Wilhelm II., coming down to 1905 and edited by Dr. H. Penzler, have been issued through the house of Reclam, Leipzig.

An account of the historical work accomplished by the learned societies of Vienna during the last sixty years has been compiled by J. Schwerdfeger under the title *Die Historische Vereine Wiens 1848-1908: Eine Darstellung ihres Wissenschaftlichen Wirkens* (Vienna, Braumüller, 1908, pp. x, 182). It contains reviews of works relating to the history of Vienna, Lower Austria, Carinthia and the Empire, and to numismatics, heraldics, anthropology and ethnology; and, in an appendix, a summary list of the publications of the various societies.

The second and third hefte of the *Archivalien zur Neueren Geschichte Oesterreichs*, published under the direction of the Commission for the Modern History of Austria, contain accounts of thirteen private archives and of twenty-eight volumes of *Bohemica*, mostly originals and copies from the time of Karl VI. and Maria Theresa, preserved in the Kinsky library at Prague.

Count Lutzow, a leading authority on Bohemian history and litera-

ture, has brought out a volume on the *Life and Times of Master John Hus* (Dent), containing many reproductions from old prints and paintings.

Among the most scholarly of the works called forth by the four-hundredth anniversary of the birth of Calvin, are Dr. P. Paulssen's *Johannes Calvin: Ein Lebens- und Zeitbild aus dem Reformationsjahrhundert* (Stuttgart, Belser); and the five volumes of Professor C. Doumergue's *Jean Calvin: Les Hommes et les Choses de son Temps* (Lausanne, Bridel), which will constitute a history of the thought and civilization of the period. The three volumes already issued of the latter work are entitled *La Jeunesse de Calvin*; *Les Premiers Essais*; *La Ville, la Maison et la Rue de Calvin* (see this journal, VII. 350, IX, 797, XII. 127).

Documentary publications: O. Posse, *Die Siegel der Deutschen Kaiser und Könige von 751 bis 1806*, I. [751 bis 1347, von Pippin bis Ludwig den Bayern] (Dresden, Baensch, 1909, pp. 37, 53 tables); R. Knipping, *Die Regesten der Erzbischöfe von Köln im Mittelalter*, III. 1, 1205-1261 (Bonn, Hanstein, 1909, pp. xiv, 292) [Publications of the Society for the History of the Rhineland]; O. Höttsch, *Urkunden und Aktenstücke zur Geschichte der Innern Politik des Kurfürsten Friedrich Wilhelm von Brandenburg*, II. (1666-1697) (Berlin, Duncker und Humblot); L. Bittner, *Chronologisches Verzeichnis der Oesterreichischen Staatsverträge*, II. *Die Oesterreichischen Staatsverträge von 1763 bis 1847* (Vienna, Holzhausen, 1909, pp. xxxvii, 349) [Publications of the Commission for the Modern History of Austria].

Noteworthy articles in periodicals: F. Curschmann, *Ueber den Plan zu einem Geschichtlichen Atlas der Oestlichen Provinzen des Preussischen Staates* (Historische Vierteljahrschrift, February); G. von Below, *Bürgerschaften und Fürsten* (Historische Zeitschrift, CII. 3); L. Cardauns, *Zur Geschichte Karls V. in den Jahren 1536-1538* (Quellen und Forschungen, XII. 1); E. Emerton, *Calvin and Servetus* (Harvard Theological Review, April); J. Ziekursch, *Friedrich von Cölln und der Tugendbund* (Historische Vierteljahrschrift, February); W. Busch, *Bismarck und die Entstehung des Norddeutschen Bundes* (Historische Zeitschrift, CIII. 1).

NETHERLANDS AND BELGIUM

We have received from Professor Cauchie of Louvain, in a pamphlet of 90 pages extracted from the *Annuaire* of that university, the report of its historical seminary for the year 1907-1908, an interesting exhibit of active research in a wide variety of fields, with useful summaries of the results reached.

The twenty-first fascicle of the series published by the historical and philological conferences of the University of Louvain is a study in religious and economic history, *L'Abbaye de Villers-en-Brabant au XII^e et XIII^e Siècles* (Brussels, Dewit, 1909, pp. 350).

Noteworthy articles in periodicals: A. Crapet, *L'Industrie dans la Flandre Wallonne à la Fin de l'Ancien Régime: l'Organisation du Travail* (Revue d'Histoire Moderne et Contemporaine, May).

NORTHERN AND EASTERN EUROPE

J.-K. Kochanowski reviews publications of the years 1903-1907 relating to the history of Poland in the March-April and May-June numbers of the *Revue Historique*.

With the support of the Bavarian Academy, Paul Marc has compiled a *Generalregister* (Leipzig, Teubner, 1909, pp. viii, 592) to the first dozen years of the *Byzantinische Zeitschrift*. It comprises indexes to persons and subjects; to Greek words, Latin-Romanic and Germanic words; to manuscripts; to contributors, reviewers, authors of reviewed books, periodicals and necrology.

The twentieth volume of the Description of the Documents and Pieces preserved in the Archives of the Very Holy Synod, *Opisanie Dokumentov i Diel khraniachtchikhsia v Arkhivie Sv. Prav. Synoda* (St. Petersburg, Press of the Holy Synod, 1908, pp. vii, 1216), consists entirely of documents of the year 1740, a period of great importance in the history of the Russian church.

"*The M.P. for Russia*", reminiscences and correspondence of Madame Olga Novikoff, edited by W. T. Stead (Melrose, 1909, pp. 536, 531), contains letters from Gladstone, Froude, Freeman, Lecky and many other eminent men.

A. Heidborn's treatise on *Droit Public et Administratif de l'Empire Ottoman* (Vienna, Stern) aims at describing not only the legislation but the whole administration of the Ottoman Empire, in practice as well as in theory, with some account of its historical development. Only the first volume, apparently covering somewhat less than half the ground, has been published.

Dr. Vladan Georgevitch, the minister-president of the last Obrenovitch and the Servian representative in Constantinople, has published a book on *Die Türkische Revolution und Ihre Aussichten* (Leipzig, S. Hirzel).

AMERICA

GENERAL ITEMS

In his researches for the Department of Historical Research in the Carnegie Institution, relative to materials for the history of the German migration to the United States, Professor M. D. Learned has hitherto been chiefly occupied with the manuscript sources preserved in Bavarian archives. Mr. W. G. Leland has returned to Paris, to spend the next five months in completing there the necessary investigations toward his Guide to the Materials for American History in the Archives of Paris.

Mr. David W. Parker has completed his work in the Department of State in calendaring the papers relating to the history of the territories, but, entering the Canadian archives service, is obliged to suspend work on the calendar at this point.

Few announcements of the year are so important as that of the publication, beginning next September, of *A Documentary History of American Industrial Society*, edited by Professors John R. Commons, U. B. Phillips and Eugene A. Gilmore, Miss Helen L. Sumner and Mr. John B. Andrews. The set will be made up of ten volumes. The first two will consist of a remarkable collection of material, much of it new, gathered by Mr. Phillips, and illustrating in detail the economics of the Southern plantation under slavery and under freedom, and the industrial development of frontier society from the colonial to the recent period. Of the other volumes, for which Mr. Commons is primarily responsible, the third and fourth consist of the rare reports of the labor conspiracy cases of 1806-1842 and of other materials respecting them. The remaining volumes are devoted to other aspects of the labor movement from 1820 to 1880, printing, from rare labor journals and the like, a varied body of materials concerning industrial conditions, trade unions and employers' associations, and the political activity of wage-earners. The work of collection has been performed under the auspices of the American Bureau of Industrial Research, with aid from the economic department of the Carnegie Institution of Washington. The materials are largely contained in the remarkable library of materials on labor in America which the former has collected at Madison. Data concerning the recent additions to this collection are, by the way, presented in *Bulletin* no. 44 of the State Historical Society of Wisconsin.

Writings on American History, 1907 (pp. xvi, 162), edited by Miss Grace G. Griffin, continues on the same lines as its predecessor the listing of books and articles relating to the history of the United States and Canada, with certain sections, clearly defined, of the literature of Spanish-American history. The number of items amounts in this issue to 3073. The volume is published by the Macmillan Company.

The volume entitled *Narratives of New Netherland*, in the series of *Original Narratives of Early American History*, has been postponed by the publishers until September. The reprint of Captain Edward Johnson's *Wonder-Working Providence of Sion's Saviour* will also appear in the autumn. The volume of *Narratives of Early Maryland* is to be edited by Mr. Clayton C. Hall of the Maryland Historical Society and is expected to appear in the spring of 1910.

The Division of Manuscripts in the Library of Congress has received, by transfer from the State Department, the Journal and Minutes of the Electoral Commission of 1877 (mentioned in Van Tyne and Leland's *Guide to the Archives*, p. 26); from the Treasury Department,

the accounts and vouchers of George Washington, for his military expenses during the Revolutionary War (Van Tyne and Leland, p. 83); and from the Post-Office Department various miscellaneous papers, 1825-1875. It has also acquired the letter books and log-books—54 volumes, 1788-1847—of Admiral Sir George Cockburn, showing naval movements between those dates, and his proceedings while in American waters during the War of 1812; the papers of John Leeds Bozman and his nephew J. L. Kerr, 1688-1856, among them being the speeches delivered before the Maryland legislature in 1787, giving an account of the proceedings in the Constitutional Convention, by Luther Martin and James McHenry; papers of N. Burton Harrison, comprising Jefferson Davis papers, Gurley, Clay and Jefferson letters; and a number of minor collections, Greeley, Wendell Phillips, Conkling, Emerson and Thomas Starr King letters.

A committee of the Association of History Teachers of Maryland, under the chairmanship of Professor C. M. Andrews, has printed in the *Atlantic Educational Journal*, 1908-1909, a *Bibliography of History for Schools*, with descriptive and critical annotations. It is intended that it shall be published in the form of a small book. It contains sections on American history and biography, the history of Maryland, the teaching and study of history, and a body of historical and biographical stories illustrating Oriental and European as well as American history. The annotations are prepared with much care.

In the volume of *Proceedings* of the American Political Science Association at its fifth annual meeting, December 28-31, 1908, are two groups of articles possessing historical interest. The one group is concerned with state and federal relations and comprises: "The Limitations of Federal Government", by Stephen Leacock; "The Influence of State Politics in Expanding Federal Power", by Henry J. Ford; "The Increased Control of State Activities by the Federal Courts", by Hon. Charles A. Moore; and "Increase of Federal Power under the Commerce Clause of the Federal Constitution", by Hon. William A. Anderson. The second group, relating to constitutional development, includes: "Some Recent Tendencies in State Constitutional Development, 1901-1908", by W. F. Dodd; "Recent Constitutional Changes in New England", by Allen Johnson; "Amendment and Revision of State Constitutions in Michigan and the Middle West", by John A. Fairlie; "Constitutional Revision in Virginia", by J. A. C. Chandler.

The *Publishers' Weekly* has now issued the fourth and concluding volume of R. R. Bowker's *Bibliography of State Publications*.

The Census Bureau has issued the volumes relating to Pennsylvania and Rhode Island in its series of *Heads of Families at the First Census, 1790*.

Mr. A. B. Faust's "German Element in the United States", which was mentioned in the last issue of the REVIEW, is to appear in the autumn (Houghton Mifflin Company).

The *Bulletin* of the New York Public Library for March contains a list of works relating to the Mormons.

The American Antiquarian Society intends to publish in the forthcoming number of its *Proceedings* papers by Professor Edward L. Stevenson on "Early Spanish Cartography of the New World, with special reference to the Wolfenbüttel-Spanish Map and the Work of Diego Ribero"; by William B. Weedon on "Early Commercial Providence"; and by Reuben G. Thwaites on "Some Early Newspapers of the Ohio Valley". An appendix to Dr. Thwaites's paper will list the various issues of the newspapers of Ohio, Kentucky, Indiana, Illinois, Missouri and western Pennsylvania to the year 1812, noting the files possessed by various libraries. The society also intends to print a long letter relating to the Battle of Bunker Hill, recently presented by Mr. James P. Paine, accompanied by two other documents of the year 1775.

The *American Journal of History* prints in volume III., no. 1, a translation of the letter of Dr. Chanca, respecting the second voyage of Columbus, portions of Washington's order-book, September, 1776, extracts (1759 to 1763) from the diary of Colonel James Gordon of Virginia, with comments by Louisa C. Blair, and the "Log of an American in 1762 on a British Fighting Ship", with an introduction by Professor W. S. Myers. "The First Overland Route to the Pacific" (the journey of Colonel Anza across the Colorado desert, 1775-1776), by Z. S. Eldredge, is continued.

The principal original articles in the May issue of the *American Historical Magazine* are Mrs. C. F. McLean's first paper on the history of slavery, relating to slavery in Egypt, Mr. T. J. Chapman's paper "A Moravian Mission to the Western Indians in 1758", and Mr. A. M. Sherman's account of "The Wick House and its Historical Environment" (the region of Morristown, New Jersey). Mr. Duane Mowry contributes six letters of General John A. Dix, written between June, 1866, and January, 1867, which are of interest in connection with Reconstruction problems.

German American Annals for March-April contains an article on the settlement of the German Coast of Louisiana, by Professor J. Hanno Deiler, and a chapter of Mr. G. G. Benjamin's account of the Germans in Texas.

Number 17 of the *Publications of the American Jewish Historical Society* (1909, pp. xix, 266) contains reports of two annual meetings, additional notes from the Rijksarchief at the Hague on the history of the early Jewish colony in western Guiana, 1658-1666, contributed by Mr. Samuel Oppenheim, a detailed study of the Jews in Georgia, 1783-

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1800, by Mr. Leon Hühner, a paper on the Sheftall family of Georgia, and several on the relations of eminent American statesmen to the Hebrews, of which that relating to Lincoln is especially interesting and valuable.

The *Records* of the American Catholic Historical Society for December prints a series of miscellaneous letters to Bishop John Carroll, 1784-1815, edited by Rev. E. I. Devitt, S.J. The originals of these letters are in the archdiocesan archives at Baltimore. The series of letters from the Baltimore archives which was begun in a previous issue is continued.

The second volume of documents in Father Thomas Hughes's *History of the Society of Jesus in North America* (Cleveland, Burrows Brothers) may be expected to be issued in the autumn.

The *Journal of the Friends' Historical Society* (London) for January reproduces two royal proclamations relating to William Penn, dated respectively July 14, 1690, and February 5, 1690/91. Both proclamations were printed contemporaneously but copies are exceedingly rare. The *Journal* also prints (January and April) installments of the journals of Esther Palmer, 1704 and 1705. The first installment bears the heading: "The Journall of Susanna Freeborn and Esther Palmer from Rhoad Island to and In Pensylvania, etc.", and the second: "The Journal of Esther Palmer and Mary Lawson, from Philadelphia to Maryland, Virginia, and Carolina and from thence back to Philadelphia again".

The late Mr. Thomas Balch's *Calvinism and American Independence*, originally printed in the *Presbyterian School Review* for July, 1876, has been reprinted as a small volume of eighteen pages (Philadelphia, Allen, Lane and Scott, 1909).

ITEMS ARRANGED IN CHRONOLOGICAL ORDER

Newspapers have recently given some space to descriptions of a stone marked with runic characters, found in 1898 at Kensington, Minnesota, and recently placed on exhibition in the rooms of the Chicago Historical Society. The inscription is read as describing an exploring expedition of Norsemen in the interior of America in 1362. We will say no more concerning it than that we are abundantly convinced that it is not genuine.

The attention of our readers is called to the "Pilgrim Fathers' Memorial" which it is proposed to erect in Southampton, England, the port from which the *Mayflower* and *Speedwell* set sail on August 5/15, 1620. The exact form of the memorial has not yet been determined and will depend somewhat upon the amount of the contributions. A provisional committee of which the mayor of Southampton, Councillor R. G. Oakley, is chairman and honorary treasurer, and Professor F. J. C.

Hearnshaw of Hartley University College is honorary secretary, has been organized. Contributions or communications may be sent to these gentlemen.

The Bidder Press of Philadelphia have issued *Witchcraft and Quakerism: a Study in Social History*, by Amelia M. Gummere.

The Library of Congress has just issued three more volumes (XIII., XIV., XV., pp. 1510) of the *Journals of the Continental Congress*, covering the whole of the year 1779.

It is understood that Mr. Stan. V. Henkels is preparing a calendar of the letters of Washington and other important letters of the Revolutionary period which have passed through his hands as an auctioneer since 1876.

An elaborate edition of *The Life and Writings of Thomas Paine*, in ten volumes, has been issued by Vincent Parke and Company of New York. The work contains a biography of Paine by T. C. Rickman and appreciations by Leslie Stephen and other writers. The editor is Mr. D. E. Wheeler.

A biography of General Stephen Moylan, together with accounts of others of the Moylan family in the Revolution, has been prepared and published by Martin I. J. Griffin, Philadelphia.

It is understood that the *Life and Writings of James Wilson*, which Mr. Burton Alva Konkle is preparing, will run to six and possibly to seven volumes.

Yates's *Secret Proceedings and Debates of the Convention of 1787* (Albany, 1821) has for some reason been reprinted as *Senate Document 728*, 60 Cong., 2 sess.

W. B. Clarke Company have published *The Autobiography of Captain Zachary G. Lamson*, 1797 to 1814, with introduction and historical notes by O. T. Howe. The chief historical interest of the book lies in its relation to the rise of American commerce in the period following the Revolution.

The *Life of Commodore Thomas Macdonough*, prepared by his grandson, Rodney Macdonough, has been published in Boston by the author. The volume includes Commodore Macdonough's autobiography, covering the years 1800 to 1822 (three years prior to his death), and many letters and official documents.

Mr. Charles O. Paullin has just completed a biography of Commodore John Rodgers (1773-1838) which will be published this fall by the Arthur H. Clark Company of Cleveland. The work is based mainly upon the manuscript materials in the Navy Department, both the official archives and the Rodgers papers. It should be an important contribution to early naval history.

Our Naval War with France, by Gardner W. Allen, treats a somewhat neglected portion of our naval history, the period immediately following the adoption of the Constitution. This and the author's previous volume, *Our Navy and the Barbary Corsairs*, relate the history of the navy from the Revolution to the War of 1812.

Mr. J. E. D. Shipp of Americus, Georgia, is on the point of issuing in a separate volume a biography of William H. Crawford under the title *Giant Days*.

The Tandy-Thomas Company, who have just issued *The Statesmanship of Andrew Jackson as told in his Writings and Speeches*, edited by F. N. Thorpe, announce that it is their purpose to issue volumes of similar scope and character on other American statesmen.

We are requested on behalf of Miss Sarah H. Porter to say that her book on *The Life and Times of Anne Royall* was not undertaken because of remarks by Mr. A. R. Spofford, as stated by our reviewer in the last issue of this journal, but had an independent and earlier origin.

When Railroads were New, by C. F. Carter, is largely descriptive of the popular attitude toward railroad building in its beginnings (New York, Holt).

The family of the late George Bancroft have agreed to deposit his extensive collection of papers in the library of the Massachusetts Historical Society. The papers have especial importance for the periods in which he held public office, 1838-1841, 1845-1849, 1867-1874.

Dr. R. G. Thwaites's interesting account of *Cyrus Hall McCormick and the Reaper*, which appears among the proceedings of the State Historical Society of Wisconsin for 1908 (pp. 234-259), has been issued as a bound separate, containing as a frontispiece a portrait of McCormick.

Memoirs of a Senate Page, 1855-1859, by C. F. Eckloff, edited by P. G. Melbourne, has been issued by the Broadway Publishing Company.

The series of cartoons, comments and poems of the London *Punch* relating to the American Civil War, has been reproduced in a volume edited with an historical and critical introduction by W. S. Walsh and published by Moffat, Yard and Company.

It is announced that the more important of the addresses delivered at the Lincoln Centenary Celebration in Chicago will be gathered into a volume which A. C. McClurg and Company will publish. The editorial work is in charge of Mr. N. W. MacChesney.

The *Works of Abraham Lincoln*, in eight volumes, edited by J. H. Clifford and M. M. Miller, has appeared with the imprint of the University Society, New York. There are introductions and special articles by Theodore Roosevelt and W. H. Taft.

Miss Ida M. Tarbell's study of Lincoln, entitled *Father Abraham* (pp. 39), has been issued by Moffat, Yard and Company.

The Wisconsin History Commission, besides the series of original papers whose inception was noted in our last number (p. 631), has planned the issue of a series of reprints which it inaugurates by publishing in a volume of 185 pages Colonel Frank A. Haskell's *The Battle of Gettysburg*. Colonel Haskell's narrative is now famous, perhaps a classic.

Evolution of Seward's Mexican Policy, by J. M. Callahan, is the latest issue of the *West Virginia University Studies in American History* (first series, *Diplomatic History*, nos. 4, 5 and 6). A preliminary chapter on the Pre-Bellum Shadows of European Intervention in Mexico traces events in Mexico and the diplomatic correspondence for some ten years preceding the Civil War. The Civil War period and the establishment of the empire under Maximilian are treated in two chapters of more than forty pages, in which the attitude of the United States is clearly developed. A final chapter presents Seward's ultimate solution of the Mexican problem, which led to the downfall of the empire. Professor Callahan has drawn fully upon all diplomatic correspondence of the time which relates to Mexico.

Mr. A. D. Noyes has prepared an extension of his work, *Thirty Years of American Finance*, bringing the account of the financial history of the government and people of the United States to the year 1907, and this revision, under the title "Forty Years of American Finance", is on the eve of appearing from the press of G. P. Putnam's Sons.

The Autobiography of Nathaniel Southgate Shaler, with a supplementary memoir by his wife, has been issued by the Houghton Mifflin Company. In addition to the literary value of the work, Professor Shaler's life in Kentucky prior to the Civil War and his several exploring expeditions lend an historical interest to his memoirs.

Mr. Richard G. Badger of Boston announces the publication next fall of Mr. Frank B. Sanborn's *Recollections of Seventy Years*.

Letters and Memories of Wendell Phillips Garrison has come from the press (Houghton Mifflin Company).

Mr. Cleveland: a Personal Impression, by J. L. Williams, comes from the press of Dodd, Mead and Company.

Doubleday, Page and Company have issued Mr. John D. Rockefeller's *Random Reminiscences of Men and Events*.

The first number of the seventh volume of the *Revista de la Facultad de Letras y Ciencias* of the University of Havana contains a chapter of D. Enrique Piñeyro's forthcoming work, "Cómo acabó la Dominación de España en América".

It is announced that A. C. McClurg and Company will publish shortly *A Pictorial Log of the Battle Fleet Cruise around the World*, prepared by Chief Turret Captain R. J. Miller and the official photographer, H.

R. Jackson. The same firm announce for autumn publication "Something of the Men I have Known", by former Vice-President Adlai E. Stevenson.

LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

During the present year Rev. Henry S. Burrage, D.D., state historian of Maine, will publish a monograph entitled "Maine at Louisburg in 1745". The work will call attention to the prominent part that Maine, then included in the Province of Massachusetts Bay, had in Pepperrell's expedition, Maine men having constituted about one-third of the colonial troops at Louisburg, and will give their names, as far as is possible. The Maine legislature, at its recent session, appropriated money for further publication of the *Baxter Manuscripts*, and a thousand dollars each for 1909 and 1910, to be expended by the state historian in arranging, classifying, collecting, purchasing, preserving and indexing historical material.

Journal of a Missionary Tour through the New Settlements of Northern New Hampshire and Vermont, from the Original Manuscripts of Rev. Jacob Cram has been published at Rochester by George P. Humphrey.

The state of Massachusetts has published volume XV. of the *Acts and Resolves of the Province of Massachusetts Bay* (Boston, 1908, pp. 873), containing the resolves, orders, votes, etc., passed in the period from May, 1753, to April, 1757.

Dana Estes and Company are the publishers of a volume by C. S. Hanks entitled *Our Plymouth Forefathers, the Real Founders of the Republic*, which traces the religious movement which led to the settlement of Plymouth and relates the story of the colony.

Mr. James H. Stark has issued through W. B. Clarke Company *Boston, Antique Views of Ye Towne*. The views are about 150 in number, arranged chronologically, and accompanied by descriptive text.

The *Essex Institute Historical Collections* for April contains an address on Abraham Lincoln, by Robert S. Rantoul, delivered in Salem, February 12. The series of letters written to Colonel Timothy Pickering during the Revolution is continued, as are also the Essex County notarial records, and the records of the vice-admiralty court at Halifax, Nova Scotia, for the condemnation of prizes and recaptures of the Revolution and the War of 1812.

The firm of W. B. Clarke announce for early publication a work entitled "Lynn in the Revolution", comprising, besides numerous character sketches, a number of original documents, such as muster rolls and pay rolls, and including also the Hallowell journal. The work, which will be two volumes in extent, is compiled from materials left by H. K. Sanderson, the collector.

Francis Jackson's *History of the Early Settlement of Newton* (Massachusetts), which was published in 1854 and which has become increasingly rare, has been photographically reproduced under the auspices of the Newton Centre Improvement Association. The reproduction can be obtained from William M. Noble, 53 State Street, Boston. The volume is an important contribution to Massachusetts local history.

A list of 107 books upon Rhode Island history, prepared by Clarence S. Brigham, has been issued as a *Rhode Island Educational Circular: Historical Series*. Another of these circulars is *The Destruction of the Gaspee*, by H. B. Knox.

The library of Brown University has been presented with a mass of some twelve hundred letters from the correspondence of Eli Thayer (Brown, 1845), arising from his relations to public affairs in the Kansas conflict and in later periods of the history of the Republican party.

Volume VIII. of the *Proceedings* of the New York State Historical Association (Albany, 1909, pp. 316) contains the proceedings of the ninth and tenth annual meetings. The former was occupied with papers relating to the campaigns of 1812-1814 near the Niagara River, the other contains several valuable papers respecting the history of Rensselaerswyck and Albany in the colonial period.

The building of the New York Historical Society will be closed from June 2 to September 6 inclusive. The society, in co-operation with the Colonial Dames of America, will open the "Fulton Loan Exhibit", early in September, 1909.

Houghton Mifflin Company have issued *The Story of New Netherland: the Dutch in America*, by William Elliot Griffis. Besides tracing the history of the colony from the beginning of Hudson's search for the Northwest Passage, the work treats of social life among the Dutch colonists.

The Public Library of Trenton, New Jersey, has issued a *Bibliography of Trenton*.

The Pennsylvania History Club, an organization which had its inception in 1905 among the members of the Historical Society of Pennsylvania and whose membership is made up of those who have done or are doing serious work on some phase of Pennsylvania history, has issued its first volume of *Publications* (pp. 58). The principal part of the volume (40 pages) is a "list of members with their historical bibliographies", a useful contribution to Pennsylvania historical bibliography. This volume contains also the constitution and by-laws of the club, its present organization and minutes of its "meetings and pilgrimages", 1905-1908.

The *Pennsylvania Magazine of History and Biography* publishes a first installment of the journal of Adam Hubley, lieutenant-colonel com-

mandant of the eleventh Pennsylvania regiment, on the Western expedition commanded by General John Sullivan, edited, with an introduction, by John W. Jordan. The journal begins at Wyoming, July 30, 1779. Mr. Jordan also contributes an article on "Moravian Immigration to Pennsylvania, 1734-1765". The "Selections from the Military Correspondence of Colonel Henry Bouquet, 1756-1764", and Mr. Hart's contribution, "Thomas Sully's Register of Portraits, 1801-1871", are concluded in this issue.

The March issue of the *Pennsylvania German* concludes the sketch of the Revolutionary colonel, afterwards judge, Matthias Hollenback, contributed by Edward Welles, and prints a brief paper of interest by James B. Laux, entitled "The Palatines of the Hudson and Schoharie". Items deserving mention in the April issue are: "The Origin of Sunday Schools", by Dr. I. H. Betz, and "Pennsylvania Germans in Public Life during the Colonial Period" (concluded in May), by Charles R. Roberts. Additional articles of interest in the May issue are, "Lancaster County History", by Israel S. Clare, and an illustrated article "Historic Lititz", taken in the main from *Historical and Pictorial Lititz*, by John G. Zook.

A general history of the South, in twelve volumes, under the title "The South in the Building of the Nation", is in course of preparation and publication by the Southern Historical Publication Society of Richmond, Virginia. The plan involves three volumes on the history of the individual Southern states, under the general editorship of Professor Julian A. C. Chandler of Richmond College; a volume of the general political history of the South, under the charge of Professor Franklin L. Riley of the University of Mississippi; two volumes of the history of its economic development, under the care of Professor James C. Ballagh of Johns Hopkins University; three volumes on its literary and intellectual life, which had been edited by the late Professor John B. Henne-man of the University of the South; a volume on the social life of the South, edited by Professor Samuel C. Mitchell of the University of South Carolina; and two volumes of the nature of a biographical dictionary, edited by Professor Walter L. Fleming of Louisiana State University. The volumes are illustrated and are to consist of about five hundred pages. Four volumes have already been issued. The work is sold by subscription.

The *Maryland Historical Magazine* publishes in the March issue a document of interest entitled: "A Quaker Pilgrimage: being a Mission to the Indians from the Indian Committee of the Baltimore Yearly Meeting, to Fort Wayne, 1804". It is a journal of the expedition written by Gerard T. Hopkins, with an appendix, written in 1862, by Miss Martha E. Tyson. The magazine reprints in this issue the rare pamphlet (printed in 1655) *A Just and Cleere Refutation of a False and*

Scandalous Pamphlet entitled Babylons Fall in Maryland, etc., by John Langford. "Some Distinguished Marylanders I have Known", by Henry P. Goddard, includes accounts of Severn Teackle Wallis, General Bradley T. Johnson and others.

To the *Fifth Annual Report of the Library Board* and librarian of the Virginia State Library is appended a calendar of petitions to the legislature, filed in the State Library, beginning in 1776 and arranged by counties. The present installment of three hundred pages covers eleven counties, Accomac to Bedford, out of a hundred. It is presented as a specimen, the archivist, Dr. H. J. Eckenrode, advocating the printing of these manuscripts in full rather than of abstracts, though the collection would probably amount to twelve or fifteen thousand pages of print. After this calendar is printed a trial bibliography of colonial Virginia (pp. 154), prepared by Mr. William Clayton-Torrence, embracing books, pamphlets and broadsides written in Virginia, about Virginia, or by persons born or residing in Virginia, and published in the years from 1608 to 1754. This bibliography has been executed with great care and minuteness and supplied abundantly with useful annotations and references.

The most considerable portions of the Randolph manuscripts which are printed in the *Virginia Magazine of History and Biography* for April are the appointments of commissioners to consider the subject of a contract between the king and the colonies for all tobacco produced (June 10, 1634), proceedings against persons speaking contemptuously of the government (July assembly, 1653), and certain orders of assembly, convened December 1, 1656, which are not printed in Hening. Under the caption "Virginia in 1650" appears the commission of King Charles to Governor Berkeley and Council, June 3, 1650. Among the "Miscellaneous Colonial Documents" are the minutes of council, April, 1716 (?), and proposals in regard to holding land on entries or surveys, 1723. The section devoted to Virginia legislative papers is of especial interest, including a letter of Colonel Dorsey Pentecost to Governor Henry, November 5, 1776, relating to conditions on the frontier; a petition of William Christian, William Preston and Arthur Campbell in regard to their services in Dunmore's War; a petition of the Committee of Safety of Princess Anne County, 1776, in regard to the proposed removal of the people of that section; and another petition of the same year from sundry inhabitants of Princess Anne and Norfolk Counties. Connected with Colonel Arthur Campbell's scheme for the incorporation of Washington County, Virginia, in the state of Franklin, is "The Humble Remonstrance of the Captains of Washington County" (1785 or 1786).

The manuscript volume possessed by the Virginia Historical Society containing reports of cases in colonial courts by Edward Barradall and Sir John Randolph has been copied for inclusion in a volume of Vir-

ginia colonial law reports to be published in Boston, under the editorship of Mr. R. T. Barton of Winchester, Virginia.

At Jamestown Island on May 13 the Association for the Preservation of Virginia Antiquities unveiled with appropriate ceremonies a bronze statue of Captain John Smith by Couper, a gift of the late Joseph Bryan of Richmond and of Mrs. Bryan.

Shenandoah Valley Pioneers and their Descendants: a History of Frederick County, Virginia, by T. K. Cartmell, is announced for early publication by the author (Winchester, Virginia). According to this announcement the work has been constructed mainly from original records, and will be published in one volume of about five hundred pages.

The second volume of Charles L. Coon's documentary history of *Public Education in North Carolina*, published by the North Carolina Historical Commission, covers the years 1832-1839, and contains much interesting material such as governors' messages, reports and proceedings of the legislative committees on education, editorials and communications in newspapers of the time, petitions, proceedings of the Literary Board, etc.

The April number of the *South Carolina Historical Magazine* contains additional letters from Commodore Gillon of 1778 and 1779, and an article by Mr. D. E. Huger Smith on the related matter of the Luxembourg claims; likewise further abstracts, 1692-1700, from the records of the court of ordinary of the province of South Carolina.

Documents relating to the History of South Carolina during the Revolutionary War, edited by A. S. Salley, Jr., has been issued by the Historical Commission of South Carolina.

A work that should prove of great interest and appeal to a wide circle of readers is *The Life and Times of Robert Y. Hayne*, by Theodore D. Jervey, which has just been issued by the Macmillan Company. Mr. Jervey has made large use of newspaper material, which has enabled him to present with greater clearness and liveliness the figure of Hayne, already growing obscure, and also to restore something of the atmosphere in which he moved.

The American Book Company have issued in their series of state histories a *History of Georgia*, by Lawton B. Evans.

The "Horseshoe Bend Battle Commission", created by the state of Alabama in 1907, has presented a memorial to Congress praying for the establishment of a military park on the site of the battle of March 27, 1814, between the Americans and the Creek Indians. The memorial, which is presented as *Senate Document 756*, 60 Cong., 2 sess., includes, besides extracts concerning the battle, the official despatches and reports, taken mainly from *Niles's Register*.

Volume X. of the *Publications of the Mississippi Historical Society*

contains principally the papers read at the decennial celebration of the society, held more than a year ago, a diary of a Mississippi slave-owner and planter from 1840 to 1863, and a general index to all of the publications of the Mississippi Historical Society to date.

A recent act of the legislature of Texas, effective March 19, 1909, created the Texas Library and Historical Commission, to be composed of the head of the school of history of the University of Texas, the superintendent of public instruction and three other members appointed by the governor. The functions of the commission are similar to those of such commissions established in other states, and include the administration of the state library. Professor G. P. Garrison is the present chairman of the commission and Mr. E. W. Winkler, librarian of the Texas State Library, is *ex officio* the secretary.

The *Quarterly* of the Texas State Historical Association for January contains two valuable articles, "The Navy of the Republic of Texas", by Alexander Dienst, and Mr. C. W. Ramsdell's third paper on "Presidential Reconstruction in Texas", treating of the restoration of state government. Of interest for the educational history of Texas is an account, by Mattie Austin Hatcher, of Stephen F. Austin's plan for an institute of modern languages at San Felipe de Austin. Besides two letters of Austin, February and March, 1829, relating to the subject, a draft of his scheme, translated from the Spanish, is here printed.

The Mississippi Valley Historical Association held its semi-annual meeting at St. Louis, in the rooms of the Missouri Historical Society, June 17-19. The programme was specially marked by attention to the physiographical and ethnological aspects of history in the Mississippi valley. Conferences of historical societies and of teachers also took place, and there were papers on the Second Missouri Compromise, by Professor Frank H. Hodder of Kansas State University, on the Attack on St. Louis in 1780, by Professor James A. James of Northwestern University, on Early Banking in Kentucky, by Professor Elmer C. Griffith of William Jewell College, etc.

Apropos of the approaching centennial anniversary of Miami University the *Quarterly Publication* of the Historical and Philosophical Society of Ohio devotes its two latest issues to selections from the James McBride manuscripts relating to the university. James McBride was officially connected with Miami University during practically the entire first half-century of its existence and left a considerable body of manuscripts which came into the possession of the Historical and Philosophical Society.

The April number of the *Ohio Archaeological and Historical Quarterly* contains a long article on Little Turtle, but is mainly devoted to material appropriate to the centennial of the death of David Zeisberger. The exercises of the centennial, held at Sharon, Goshen and New

Philadelphia, Ohio, are described by Mr. E. O. Randall; his paper is accompanied by addresses and articles on Zeisberger and by a detailed account of the Moravian records by Professor Archer B. Hulbert of Marietta College.

The *Autobiography and Correspondence of Allen Trimble, Governor of Ohio*, by Mrs. Mary McA. T. Tuttle and Mr. Henry B. Thompson, has been reprinted from the *Old Northwest Genealogical Quarterly* in a volume of 240 pages. The autobiography is a very interesting record of pioneer life and Ohio politics, chiefly between 1794 and 1818; the letters extend to 1868, but are chiefly of the period 1812-1832.

It is much to be regretted that the legislature of Indiana failed, in its recent session, to provide for a continuation of the work of the Archives Department of the Indiana State Library. It is hoped that this is not to be interpreted as a definite abandonment of systematic work in connection with the historical material in possession of the state.

The Illinois State Historical Library will issue next year a volume of letters written by George Morgan, trader, the representative of the Philadelphia firm of Baynton, Wharton and Morgan, when he was in the Illinois country, 1766 to 1770. The editors are Professors C. W. Alvord and C. E. Carter.

The University of Illinois is having copied in the Public Record Office a large body of manuscripts illustrating the history of the West during the years 1763 to 1775, taken especially from the Lansdowne, Dartmouth, Chatham, Board of Trade and Treasury papers.

L. E. Robinson and Irving Moore are the authors of a *History of Illinois* (pp. 288) which has been published by the American Book Company. An appendix contains a list of references, official lists, the constitution of Illinois and other data.

The Valley of Shadows: Recollections of the Lincoln Country, 1858-1863, by Francis Grierson, is an account of the author's life in Illinois and Missouri, with Lincoln and other historical figures in the background (Houghton Mifflin Company).

The *Register of the Kentucky State Historical Society* for May includes an article on "The Great Revival of 1800", by Z. F. Smith, and one on Colonel Richard Henderson of the Transylvania Company, by Susan S. Fowles (or Foules—the name appears in both forms in the *Register*). Mr. W. W. Longmoor contributes excerpts from the Diary of John Findlay Torrence relating to a journey up the Ohio River with President-elect William Henry Harrison and his party en route to Washington for the inauguration. This diary is in the possession of Colonel William Torrence Handy of Cynthiana, Kentucky.

The *Proceedings of the State Historical Society of Wisconsin* at its fifty-sixth annual meeting, held October 15, 1908 (Madison, 1909, pp.

272), contains, besides the usual notes of proceedings and reports concerning the various activities and departments of the society, two notable historical papers, one by Professor Clarence W. Alvord on "The British Ministry and the Treaty of Fort Stanwix", the other, by Professor Frederick J. Turner, entitled, "The Old West", on the general history of that "back country" which in the colonial and Revolutionary period constituted the West from the point of view of the coast settlements. The society has also issued reprints of volumes VII. and VIII. of its first series of *Collections*.

In volume XI. of the *Collections* of the Minnesota Historical Society (St. Paul, pp. xx, 827) the paper which will have the widest interest for persons not resident in the state is probably the extensive account of the Dakotas or Sioux in Minnesota as they were in 1834, written thirty or forty years later by the Rev. Samuel William Pond, who in 1834 began his activity as a missionary among them. It is a document of remarkable value and interest. The volume also contains an elaborate account of Minnesota journalism from 1838 to 1865, by Mr. Daniel S. B. Johnston; articles on the history of the various capitol buildings, of the university and of various matters connected with early days. Attention should also be called to the reminiscences of Little Crow, by Dr. Asa W. Daniels, and to the Civil War papers contributed by General Lucius F. Hubbard. Volume XIII. has already been issued, and noticed in these pages. A quarto volume on the archaeology of the state, by the late J. V. Brower and Alfred J. Hill, is in the press. The secretary, Mr. Warren Upham, has nearly ready his compilation of Minnesota biography, to be followed by one on Minnesota geographic names and by a history of the society.

In the April number of the *Iowa Journal of History and Politics* Mr. Louis Pelzer continues his studies of political parties in Iowa, treating in this paper of the period from 1857 to 1860. The study is valuable from a national as well as from a state point of view, for the slavery question was at the centre even of state politics. Mr. K. W. Colgrove's paper on "The Delegates to Congress from the Territory of Iowa" is a valuable contribution to the history of territorial relations to the federal government. "Proposed Constitutional Amendments in Iowa, 1836-1837", by J. Van der Zee, throws interesting side-lights on the constitutional history of the state.

The *Ninth Biennial Report* of the Historical Department of Iowa, prepared by Edgar R. Harlan, assistant and acting curator, contains a list of the letters and other manuscripts in the department and also a list of the department's newspaper files.

At the instance of the Arkansas Historical Association, the legislature has created a permanent history commission composed of the chief justice, the president of the State University, the president of the State

Normal College, and six members to be appointed by the governor for a term of twelve years. The commission is given a salaried secretary with headquarters at the state capitol. His duties in brief are, to care for the archives of the state, to collect in the state capitol building a library of material bearing on the history of the state and an art gallery of Arkansas history, to take charge of the excavations of mounds in the state and build up a museum of Arkansas history, and to prepare a roster of Arkansas soldiers in all wars in which Arkansas forces have taken part.

The last legislature of Kansas gave the State Historical Society \$200,000 for a separate historical building and additional employees.

Volume I. of the *Collections* of the State Historical Society of North Dakota was published by the state in 1906, and contained, among other pieces, the census of 1850, and a number of studies of the Mandan and Hidatsa Indians. Volume II., lately issued (Grand Forks, Ontario Store), contains a history of the Selkirk settlement, by Rev. Mr. Gunn, with a carefully edited reproduction of the McLeod Journal of 1811 and a reprint of Lord Selkirk's prospectus of the Red River country; articles on the Fisk expeditions to the Idaho-Montana gold mines, 1862-1866; C. J. Atkins's Missouri River steamboat logs, 1863-1868, a remarkable record of experiences on the river during the Civil War; and a number of papers on the Indian life of the region. The discussion of village types among the Missouri River Indians is well illustrated by surveys and Indian drawings. Incidentally the endeavor is made to show that the conventional accounts of the Verendrye explorations in the Missouri valley are seriously in error both as to the routes taken by these explorers and as to the Indians they visited. The society is making special efforts to co-operate with the teachers of history throughout the state.

The Lewis Publishing Company of Chicago have issued a *History of the State of Oklahoma*, by Luther B. Hill.

Professor Edmond S. Meany's *History of the State of Washington* (Macmillan) is now out.

The pages of the December issue of the *Quarterly of the Oregon Historical Society* are mainly occupied with Mr. G. W. Davenport's second and concluding paper on "The Slavery Question in Oregon". In the section devoted to documents is printed the speech in the United States Senate, January 25, 1844, of Senator Semple of Illinois, on the resolution introduced by him for the abrogation of the treaty of joint occupation of the Oregon country.

Dr. J. A. Munk has issued a new and enlarged edition of his bibliography of Arizona books under the title *Arizona Bibliography: a Private Collection of Arizoniana*. The collection, which now runs to nearly three thousand titles, includes works relating to New Mexico and California and also to Old Mexico.

The History of Sulu, by Hajeeb M. Saleeby, is part II. of volume IV. of the *Publications of the Philippine Bureau of Science*, Division of Ethnology, of which part I. was *Studies in Moro History, Law and Religion* (1906). The present study relates mainly to the period 1578 to 1899. A considerable quantity of documentary material is presented, much of which has not hitherto been published.

The Panama Canal and its Makers, by Vaughan Cornish, while treating mainly of the geographical and engineering aspects of the canal (the writer is a British geographer) contains also something of its inception and history.

The thirteenth volume of Messrs. Wrong and Langton's *Review of Historical Publications relating to Canada* (Toronto, Morang and Company, pp. xii, 198) covers the publications of the year 1908 with the same degree of fullness as its predecessors, and perhaps with even greater excellence of judgment in the reviewing of individual books. Among the important volumes here noted and not previously described in the pages of this journal are: Mr. Frank B. Tracy's *Tercentenary History of Canada* (three vols., Macmillan), M. Lucien Schöne's *La Politique Coloniale sous Louis XV. et Louis XVI.* (Paris, Challamel), Professor Shortt's *Lord Sydenham* and Dr. Parkin's *Sir John A. Macdonald*, both in the *Makers of Canada* series (Toronto, Morang), Dr. A. G. Doughty's *The Cradle of New France* (Montreal, Cambridge Corporation), Miss Agnes C. Laut's *The Conquest of the Great Northwest* or history of the Hudson's Bay Company (two vols., New York, Outing Company), and Mr. Lawrence J. Burpee's *The Search for the Western Sea* (Toronto, Musson Book Company).

The Journal of an Expedition across Venezuela and Colombia, 1906-1907, by Dr. Hiram Bingham (New Haven, Yale Publishing Association, pp. viii, 287), is not primarily a book of history, but a very entertaining and well illustrated book of travels; but it falls well within our province to notice it because the object of this journey through difficult and almost untravelled regions was historical, to trace the route of Bolivar's celebrated march of 1819 and to examine the battle-fields of Boyacá and Carabobo, and because valuable though brief dissertations on the latter topic are embraced in the volume.

Noteworthy articles in periodicals: L.-A. Prud'homme, *La Verendrye: Son Oeuvre*, cont. (*Revue Canadienne*, April); H. R. McIlwaine, *The Revolutionary War in the Virginia State Library* (*Southern Educational Review*, December-January); Arthur Little, *William Whipple, the Signer* (*Magazine of History*, May); Gaillard Hunt, *History of the State Department*, III. (*American Journal of International Law*, January); Captain I. L. Hunt, *Federal Relations of the Organized Militia* (*Journal of the United States Infantry Association*, January); Captain C. E. Hampton, *History of the Twenty-first U. S. Infantry*, cont. (*ibid.*,

March, May); Thomas E. Watson, *The Life and Times of Andrew Jackson*, cont. (Watson's Jeffersonian Magazine, May); Gertrude Atherton, *How Russia nearly acquired our Pacific Coast* (North American Review, May); *General Sherman's Letters Home*, edited by M. A. De Wolfe Howe (Scribner's Magazine, April, May, June); Gideon Welles, *Diary* (Atlantic Monthly, April, May); A. E. Pillsbury, *The War Amendments* (North American Review, May); J. M. Mathews, *Legislative and Judicial History of the Fifteenth Amendment* (Johns Hopkins Studies, XXVII. 6-7); J. G. de Roulhac Hamilton, *The Freedman's Bureau in North Carolina*, cont. (South Atlantic Quarterly, April); George F. Parker, *Cleveland's Estimate of his Contemporaries* (McClure's Magazine, May); George F. Parker, *Cleveland and the Insurance Crisis* (*ibid.*, June); Alejandro Alvarez, *Latin America and International Law* (American Journal of International Law, April).

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